

Application Ref: 14/02166/OUT

Proposal: Erection of 14 dwellings

Site: Land To The South of Constantine Drive, Stanground South, Peterborough

Applicant: Mr R Croft, Henry Davidson Developments

Agent: Mr Tim Slater, 3D Planning Ltd.

Referred by: Director of Growth and Regeneration

Reason: Departure from the Local Plan

Site visit: 22.01.2014

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 South Stanground Urban Extension (SSUE), known as Cardea, is located between Oakdale Avenue to the north and the Stanground Bypass to the south. The new Horsey Toll roundabout is situated to the east of the site and Peterborough Road to the west. There is a small length of dual carriageway heading off the new bypass into Cardea which is referred to as the Entrance Avenue. At the end of this avenue is a smaller roundabout leading to various development plots of the urban extension.

The parcel of land subject to this application is situated to the northern-most extent of the allocated Local Centre. This Local Centre has been partially developed through the construction of a large Morrisons retail store with car park, petrol filling station and a parade of 5 much smaller retail units. The Centre is situated off the principal route into the development, Apollo Avenue. To the north of the application site is the St Michael's Primary School with a pedestrian footway running to the eastern boundary which links through to the Centre.

For Members' information, a copy of the framework plan for the SSUE is attached as Appendix A. It should be noted that the application site is allocated through Policy SA9 as employment land and this has been approved under outline planning permission reference 03/00842/OUT, which granted permission for the urban extension.

Proposal

The application seeks outline planning permission for the construction of 14 residential dwellings. Approval for the access to the development is sought at this stage with matters of appearance, landscaping, layout and scale to be reserved. It should be noted that the original description of development detailed that the dwellings were to be 3-beds however Officers, in agreement with the Applicant, have removed this element to allow for flexibility in terms of the mix of dwelling sizes.

Given that the application site is allocated within the Local Plan as a Local Centre, the proposal for residential development represents a departure.

2 Planning History

03/00842/OUT	Outline application for Urban Extension including 1525 dwellings, school, local centre, 5.5ha of employment land, playing fields and other infrastructure.	17/8/2001	Approved
03/00507/FUL	Stanground bypass	27/10/2005	Approved
07/01651/REM	Entrance avenue from bypass to the centre of the estate	30/5/2008	Approved
07/01893/REM	Western part of the spine road (which runs through the north-west quadrant of the site and will become the bus route)	5/6/2008	Approved
08/00870/REM	135 dwellings with roads, phase 1a/1b	9/6/2009	Approved
08/01518/REM	115 dwellings with roads	7/4/2009	Approved
10/00153/REM	48 dwellings with roads, phase 1c	3/6/2010	Approved
10/00285/REM	Green Infrastructure incorporating a sustainable drainage system (SUDS) relating to the western part of Cardea		Pending
10/00146/REM	45 dwellings with roads	12/5/2010	Approved
10/00483/REM	Road to the south of the local centre	13/9/2010	Approved
10/00484/REM	Road to the north of the local centre	21/9/2010	Approved
10/00524/REM	Southern loop road (through the south-west quadrant of the site)	26/7/2010	Approved
10/00560/FUL	New centre for Stanground South comprising foodstore (use class A1) including petrol filling station and recycling facility, public house/restaurant (use class A4), day nursery (use class D1), retail terrace (use class A1 (restricted) A2, A3, A5, D1, B1a) together with associated car-parking, servicing and landscaping	20/8/2010	Approved
10/01027/REM	Part of the sustainable drainage system to the east of the Local Centre and playing fields sites, serving the school, Local Centre, playing fields and housing phases 1f, 1i and 2c; and landscaping to the east of the Local Centre	4/2/2011	Approved
10/01619/REM	33 dwellings with roads phase 1e	18/1/2011	Approved
10/01628/REM	48 dwellings with roads, replan of phase 1c	23/2/2011	Approved
11/00467/REM	110 dwellings with roads, phases 2a/2b	9/09/2011	Permitted
11/00487/FUL	Construction of foot/cycleway to link Cardea with Oakdale Avenue, across the open space by Oakdale Primary School	25/5/2011	Approved
11/00778/REM	Construction of 210 place C of E Primary School, including fenced games area, playing field and car parking	19/08/2011	Permitted
11/00961/REM	Creation of playing fields, (incorporating a NEAP and a MUGA.) involving re-contouring of land, laying of drainage and landscaping - land South of the Local Centre	23/09/2011	Permitted
11/01952/REM	Construction of electricity sub-station to serve new primary school as approved under planning permission 03/00842/OUT	1/02/2012	Permitted
12/01252/REM	Construction of 159 dwellings, access and landscaping on phases 3a-c	19/02/2013	Permitted
13/00969/R3F UL	Construction of new 3m wide shared-use footpath/cyclepath through open space buffer within Stanground South	5/09/2013	Permitted
13/01670/REM	Substitution of housetypes to replace six approved	2/01/2014	Permitted

	dwelling on plots 227-232 of tranche 3a-c with three detached dwellings		
13/01712/REM	Construction of 12 dwellings and associated landscaping - Phase 3ABC	21/02/2014	Withdrawn
13/01852/R3R EM	Proposed development of a sports pavilion with associated parking	7/02/2014	Permitted
14/01566/FUL	Erection of 33 dwellings and the associated access	2/02/2014	Permitted
14/01567/REM	Reserved matters submitted pursuant to application 03/00842/OUT - relating to access	5/12/2014	Permitted
14/01614/REM	The erection of 45 dwellings and the associated works	10/12/2014	Permitted
14/01668/REM	Application for Reserved Matters for the construction of 30 dwellings and associated works pursuant to planning permission 03/00842/OUT	5/12/2014	Permitted

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 1 - Alternative uses for Allocated Employment Sites

Where there is no reasonable prospect of an employment use being implemented applications for alternative uses should be considered, having regard to market signals and the need to support sustainable local communities.

Section 6 - Change of Use of Employment Land to Residential

Applications should normally be approved where there is an identified need for additional housing in that area and provided that there are not strong economic reasons why such development would be inappropriate.

Section 7 - Good Design

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

Section 8 - Safe and Accessible Environments

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

Section 10 - Development and Flood Risk

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

Section 11 - Contamination

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

the Environmental Protection Act 1990.

Peterborough Core Strategy DPD (2011)

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.

CS03 - Spatial Strategy for the Location of Employment Development

Provision will be made for between 213 and 243 hectares of employment land from April 2007 to March 2026 in accordance with the broad distribution set out in the policy.

CS08 - Meeting Housing Needs

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

CS10 - Environment Capital

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

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.

CS15 - Retail

Development should accord with the Retail Strategy which seeks to promote the City Centre and where appropriate the district and local centres. The loss of village shops will only be accepted subject to certain conditions being met.

CS16 - Urban Design and the Public Realm

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

CS17 - The Historic Environment

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

CS19 - Open Space and Green Infrastructure

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

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)

SA09 - Urban Extensions

Identifies sites for B1, B2 and B8 employment uses in accordance with Core Strategy policy CS3.

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.

PP20 - Development on Land affected by Contamination

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

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.

Peterborough Planning Obligations Implementation Scheme SPD (2010)

4 Consultations/Representations

Archaeological Officer (18.12.14)

No objections - The site is located within the wider South Stanground Urban Extension which has been subject to a series of archaeological investigations between 2005 and 2007. As such, no further work is deemed necessary.

Building Control Manager

No comments received.

Education & Childrens Dept - Planning & Development

No comments received.

PCC Pollution Team (13.01.15)

No objections - There may be an impact upon occupant amenity from fixed plant and deliveries which shall require appropriate mitigation. If these noise sources are effectively controlled by condition, this Section would support a later detailed assessment of acoustic design to the current proposal.

PCC Transport & Engineering Services (06.01.15)

No objections - It is accepted that the proposal will generate less traffic than the nursery and health care building previously intended for the site. Request that revised drawings are submitted which accurately show the details and dimensions of the access. A link through to the footpath which runs between the Local Centre and Constantine Drive should be provided.

PCC Senior Recreation Officer

No comments received.

Section 106 Major Group

No comments received.

Police Architectural Liaison Officer (29.12.14)

No objections - The indicative layout appears to be acceptable taking into account the constraints of the site.

PCC Travel Choice

No comments received.

PCC Strategic Housing

No comments received.

Childcare Market Facilitation Manager (T Laws)

No comments received.

Cambridgeshire Fire & Rescue Service

No comments received.

PCC Drainage Team (31.12.14)

No objections - Content that the proposal represents a lower quantity of impermeable area than the previous design and therefore, there should be adequate capacity within the wider drainage systems for the South Stanground Urban Extension. Given that the details of the wider drainage have yet to be approved, request a condition relating to details of surface water drainage.

Middle Level Commissioners

No comments received.

Waste Management

No comments received.

Local Residents/Interested Parties

Initial consultations: 11

Total number of responses: 3

Total number of objections: 2

Total number in support: 0

Two objections have been received from the Chair of the Cardea Resident's Association and Head of St Michael's Church School on the following grounds:

- I foresee a parking problem. The submitted drawings state that the dwelling entrances will be to the front but the car parking/driveways are to the rear and a far distance from the houses. We already have a road parking problem in Cardea whereby people do not park in their allocated bays (they will not walk 20 to 30 yards from their back gardens to their homes). We will have the same problem of people parking along the street to the front of their houses as a result of this proposal. As a Resident's Association, we feel that you need to look at this problem as we are already living with the nightmare.
- Concern that residents would park their cars on the roadside adding to the congestion that already happens at school drop-off, pick-up times and lunchtime when the pre-school pick-up/drop-off.
- That an additional road/entrance off Constantine Drive into the development would add further road safety hazards for the children going to and coming from the school.
- The construction period would create risk to the safety of the children as they come to and leave the school.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Connections to other developments within the urban extension
- Layout, design and amenity provision
- Highway safety and parking
- Contamination
- Archaeology
- Drainage
- Developer contributions

a) Principle of development

The wider South Stanground Urban Extension (SSUE) was granted planning permission under application reference 03/00842/OUT in August 2007 for the construction of up to 1,525 dwellings, 5.52 hectares of Class B1 employment land, a primary school, local centre and associated access roads, drainage and public open space.

As detailed in Section 1 above, the application site forms part of the Local Centre, which is specifically identified through Policy SA1.3 of the Peterborough Site Allocations DPD (2012)

and the planning permission for the urban extension. In 2010, planning permission was granted for the development of the Local Centre in part (which has since been completed) and this comprises a mixture of a supermarket, public house and parade of 5 smaller local shops/facilities. The current application site is partially covered by this planning permission as the north-western corner has planning permission for the construction of a children's day nursery (as shown at Appendix B). The remainder of the site is presently reserved for the construction of a health centre and this is secured through Schedule 6 of the Section 106 legal agreement covering the urban extension.

Turning first to the land reserved for the health centre, the provisions of the legal agreement state that upon notice being served on the City Council by the landowner (which was undertaken on 1st February 2010), the land must remain available for the Primary Care Trust (or such other similar body providing health care for the Peterborough Area) to enter into a contract for the construction of a health centre. This requirement only remains in force for a period of 5 years - thereby running out on 1st February 2015. To date, no party has come forward to take on the land and construct a health centre and in the period between the writing of this report and the Committee Meeting, it is not anticipated that any party shall come forward. Confirmation of this will be provided to Members in the Briefing Update Report.

In light of this, and in accordance with the provisions of the legal agreement, the land then reverts to be used for other agreed 'local centre uses' - retail units falling within Classes A1, A3 and A5; public house; nursery for children of pre-school age; offices and other employment creating uses; adult social care accommodation; or community and sports pavilion. Given this, it is considered that the site in its entirety is now allocated for these 'local centre uses' and not for any other purpose.

It is acknowledged that the Local Centre is an important feature for the SSUE, providing the required services and facilities for its residents. Accordingly, due consideration must be given to the level of provision of services/facilities and whether the loss of the remaining undeveloped allocation is acceptable. For the main part, the Local Centre has been developed and the supermarket and small parade of units provides much of the services required. There is a lack of pre-school provision within Cardea and the demand for such a facility is likely to increase through the development of the remaining eastern portion of the development (approximately a further 500 dwellings from those already constructed/granted planning permission). However, a day nursery has already been granted planning permission on the site (through reference 10/00560/FUL for the Local Centre). The Applicant has provided detailed evidence of the marketing of this nursery site and the health centre site for a period of 4 years which includes:

- Large marketing boards erected at the roundabout fronting the A605 in 2012 and further boards fronting the development site itself in 2014;
- A mailing campaign to: local, regional and national agents; retailers and restaurants; office occupiers; vets; 80 medical organisations; 70 gym operators; children's day nurseries; and care homes; and
- Continual availability of the particulars on a commercial property website.

During this period, which is throughout a time of economic difficulty, no party has come forward to take on the land (either through a freehold or leasehold arrangement) and it is considered that the submitted evidence demonstrates that there has been a lack of demand for operators to build such facilities over the past 4 years. Whilst in the future demand may be generated for further 'local centre uses', it is Officers' opinion that the site should not remain vacant and undeveloped for an indeterminate period of time.

On this basis, it is considered that there is little demand or opportunity for the application site to be developed for its intended use in the short to medium-term and as such, the loss of this relatively small parcel for 'local centre uses' would not result in any significantly undue impact to the quality of services/facilities for local residents.

b) Connections to other developments within the urban extension

Cardea is a well-established development with occupancy of 667 dwellings as of August 2014 (almost half of that approved at outline application stage). Furthermore, reserved matters consents and planning permissions for a further 108 dwellings. It has been identified that the wider development is one of the fastest selling in the country and annual dwelling completion rates are around the 100 figure which is considerable given the current economic climate.

With regards to the application site, it is bound to the south by the developed area of the Local Centre and to the north by the Primary School. To the east of the site is the undeveloped 'Adult Social Care site' which has lawfully reverted back to be available for development for market housing. To the west, is the principal road into the development and beyond, residential dwellings. It is considered that appropriately designed residential development on the site would respect the character and built form of the locality without appearing incongruous or at odds with its surroundings. Further, the proposal would be well-served by the existing services, facilities and public transport within the immediate locality.

On this basis, the proposal is in accordance with Policies CS1 and CS16 of the Peterborough Core Strategy DPD (2011).

c) Layout, design and amenity provision

Layout and design

The submitted Site Layout drawing is indicative only, as matters of layout, appearance and scale are proposed as reserved matters. Broadly, it is considered that the proposed layout demonstrates that the number of dwellings proposed can readily be accommodated and that the density proposed is in accordance with the established built form within the wider SSUE. On this basis, the proposal is in accordance with paragraph 58 of the National Planning Policy Framework (2012), Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

Amenity provision

As above, it is considered that the proposed indicative layout demonstrates that the number of dwellings can be accommodated within the site and provide an acceptable level of amenity for future occupants. The rear garden sizes would be of an adequate size to serve the dwellings and an appropriate layout could be achieved so as to prevent any unacceptable relationships in terms of overlooking, overshadowing and overbearing impact.

The application has been accompanied by an Acoustic Assessment owing to the proximity of the site to the plant and machinery to the rear of the adjacent parade of retail units, the service yard and the car park serving the Local Centre. The report does not detail any specific measures which should be implemented to ensure that no unacceptable impact results to occupants and details that further assessment, including mitigation measures shall be provided at a later date (prior to the commencement of development).

The City Council's Pollution Control Officer has advised that the submitted information is adequate, however that further detailed assessment and mitigation where necessary shall be required. There is potential for the fixed plant and night-time deliveries associated with the retail terrace to cause an unacceptable level of noise and nuisance to occupants of the proposed residential development and a review of the conditions imposed upon this terrace was requested.

Condition C19 of planning permission reference 10/00580/FUL (for the Local Centre) states that no deliveries or activities within the yard area to the retail terrace shall take place outside the hours of 7am to 8pm Mondays to Saturdays and 9am to 4pm on Sundays and Bank Holidays. In addition, condition C23 requires details of noise emitted from fixed plant to be submitted, along with requisite mitigation measures to control the level to within acceptable limits.

With regards to noise from fixed plant, this condition has not been discharged in respect of the retail parade however its provisions are sufficient to ensure that any future plant to be installed would adequately address the relationship to the proposed dwellings to ensure that no unacceptable impact resulted. Furthermore, it is considered appropriate to impose a condition which requires the submission of a more detailed assessment and any additional mitigation measures as a result of the current proposal.

On this basis, it is considered that the proposal would afford an acceptable level of amenity for future occupants and is therefore in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

d) Access and highway implications

As detailed in Section 1 above, the application seeks approval for the vehicular access to the site. This is proposed to be granted from Constantine Drive and would utilise an earlier approved access which was secured under Reserved Matters Consent for the road itself (reference 10/00484/REM). The Local Highway Authority (LHA) has confirmed that the use of this access would be acceptable as it accords with the access approved in 2010. It is proposed for this access road to be private and Officers will be seeking a gate to ensure that parents driving to the school and dropping off/picking up children will not use the access and driveway to park creating congestion problems and dangers to the free-flow of traffic on the highway.

With regards to traffic generation, the LHA is content that the proposed residential use would generate less traffic using the access and public highway to the front of the school than the uses for which the site is allocated. This shall result in fewer vehicles manoeuvring and using the highway and shall pose a lesser risk to pupils walking to the Primary School.

It is noted that the Cardea Residents Association has objected to the proposal on the basis of the proposed indicative layout which shows that car parking would be provided to the rear of the dwellings, along the southern boundary. Their concerns regarding the future parking on the highway to the front of the properties are noted however it is considered that the indicative layout demonstrates the best available arrangement for parking on the site. By designing the proposal with parking to the rear of dwellings, it creates a buffer to the adjacent developed Local Centre which will provide a quieter level of amenity for future occupants within their gardens. In addition, it should be noted that the car parking standards now applied have increased from those which were in force during the times at which earlier tranches of the Cardea development were approved. The current scheme will be required to adhere to these increased standards and therefore, more parking should be provided to serve the dwellings.

Furthermore, the LHA has advised that they would not support any further vehicular accesses onto Constantine Drive given that this would pose an unacceptable relationship to the pedestrians walking to/from the Primary School. Whilst the exact parking arrangement is to be determined through Reserved Matters Consent, it is considered that appropriate and convenient parking would be afforded to future occupants and to meet adopted parking standards.

On this basis, it is considered that safe access can be achieved and that the proposal would not pose an 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).

e) Contamination

As part of the original outline planning permission for the SSUE, the entire area subject to development was subject to an assessment of the contamination risks present. This assessment highlighted that there was localised soil contamination by metals and hydrocarbons at Havelock Farm, Sycamore Lodge and generally throughout Glebe Farm however the application site does not fall within any of these areas. Notwithstanding this, the

report detailed a number of measures to be implemented in all areas in respect of ground gas. It is therefore considered necessary to impose a condition upon the current scheme which requires the submission of a contamination remediation scheme. Subject to the imposition of this condition, the proposal would adequately address contamination risks on the site, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

f) Archaeology

As above, under the original outline planning permission the entire SSUE was subject to detailed archaeological evaluation. Initially by way of a series of trial trenches and geophysical surveys and then more detailed wider excavations. The initial trenches, some of which covered the application site, did not find any substantial archaeological remains within the area. As such, the City Council's Archaeological Officer has confirmed that there is no requirement for further evaluation as the proposal does not pose any risk to buried archaeological remains. The proposal is therefore in accordance with paragraph 128 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012).

g) Drainage

The City Council's Drainage Engineer has not raised any objections to the proposal in terms of surface water drainage as it has been concluded that the current proposal would not result in any increase in terms of impermeable surface from that which has already been permitted/planned. Accordingly, it is considered that the sustainable drainage system (approved in outline) for the entire SSUE would have sufficient capacity to accommodate the proposed development. Notwithstanding this, a condition would be required to secure details of the surface water drainage system. On this basis, the proposal would not pose an unacceptable risk of flooding elsewhere and is therefore in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

h) Developer contributions

In accordance with Policy CS12 of the Peterborough Core Strategy DPD (2011), all new development is required to make a financial contribution towards the infrastructure demands it generates. At present, the contributions are calculated in accordance with the Peterborough Planning Obligations Implementation Scheme SPD (2010) which bases the calculations on the size of dwelling as follows:

<i>1 Bedroom</i>	<i>£3,000</i>
<i>2 Bedroom</i>	<i>£4,000</i>
<i>3 Bedroom</i>	<i>£6,000</i>
<i>4 Bedroom</i>	<i>£8,000</i>
<i>5+ Bedroom</i>	<i>£9,000</i>

The Applicant has agreed to enter into a legal agreement to secure the above contribution and the legal process is presently ongoing.

With regards to affordable housing, the policy trigger set out in Policy CS8 of the Peterborough Core Strategy DPD (2011) is 15 dwellings or more. As the proposal is for less than this trigger, no affordable housing is required.

However, the proposal does exceed the trigger for the provision of public open space. Given the size of the development, there is no requirement for this to be provided within the site and therefore, consideration should be given to upgrading public open space within the surrounding area. Within the SSUE, the public open spaces have been planned to meet the needs of the originally approved 1525 and the existing play area off Oakdale Avenue has been upgraded to meet the additional demands resulting from this development. It is not considered that the proposed additional 14 dwellings would generate any substantial additional demand for open space within the SSUE and there are no upgrades which could be made given the

age of the open space in situ. As such, in this instance it is not proposed to seek any off-site public open space contribution.

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:

- whilst the proposal would result in the loss of a portion of the allocated Local Centre, it is not considered that the loss of the land would result in any unacceptable impact to the provision of services and facilities of residents of the Urban Extension;
- the application site is considered an appropriate location for residential development which would provide good connections to the wider South Stanground Urban Extension, in accordance with Policies CS1 and CS16 of the Peterborough Core Strategy DPD (2011);
- the overall density of the proposal would mirror the existing wider development of Cardea, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposal would afford an acceptable level of amenity for future occupants, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012);
- the proposal would provide safe access for all users, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012);
- subject to appropriate remediation, the site would not pose any unacceptable risk to human health, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012);
- the site has already been subject to archaeological evaluation and it is considered that there is little potential for undiscovered remains, in accordance with paragraph 128 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in unacceptable flood risk elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011); and
- the Applicant has agreed to enter into a Section 106 legal agreement to secure a financial contribution towards the infrastructure demands generated by the proposal, in accordance with Policies CS12 and CS13 of the Peterborough Core Strategy DPD (2011) and the Peterborough Planning Obligations Implementation Scheme SPD (2010).

7 Recommendation

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

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.

- C 1 Approval of details of the 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 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 The details to be submitted under condition 1 above shall include details of the following external materials:

- Walling and roofing
- Windows and doors
- Rainwater goods
- Cills and lintels
- Soil flues and vents

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 6 The details submitted under condition 1 above shall include a scheme for the hard and soft landscaping of the site. The scheme shall include (but not limited to):

- proposed finished ground and building slab levels;
- external paving and surfacing materials;
- all boundary treatments;
- external lighting

- planting plans for public areas including retained trees, species, numbers, size and density of planting; and
- an implementation programme.

Development shall be carried out in accordance with the approved details. The soft landscaping scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier and the external paving, boundary treatments and external lighting shall be carried out as approved prior to first occupation of the dwelling to which they relate.

Lighting shall be arranged so that no danger or inconvenience is caused to users of the adjoining public highway.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C 7 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased 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 to those 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 CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP14 of the Peterborough Planning Policies DPD (2012).

- C 8 Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP to be submitted shall include (but not necessarily limited to):
- Hours of construction;
 - Access routes for construction vehicles;
 - Parking, turning, loading and unloading areas for all construction vehicles visiting the site;
 - Parking of contractor vehicles;
 - Materials storage;
 - Wheel wash facilities; and
 - Measures to control the emission of dust from the site.

Reason: In the interest of highway safety and the amenity of nearby residential properties, in accordance with Policies CS14 and CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012).

- C 9 No dwelling shall be occupied until the means of vehicular access shown on drawing number 1136-004 'Approved Access Drawing with Proposed Layout Overlay' has been constructed in accordance with the details shown.

Reason: In 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 10 The vehicle-to-vehicle visibility splays shown on drawing number 1136-004 'Approved Access Drawing with Proposed Layout Overlay' at the junction of the access road with the public highway shall be provided prior to first use of the vehicular access. Thereafter, those splays shall be retained clear of any obstruction above a height of 600mm from footway level.

Reason: In 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 11 Notwithstanding the submitted details and prior to first use of the vehicular access hereby permitted, vehicle-to-pedestrian visibility splays measuring 2 metres x 2 metres (from and along the back edge of the public highway) shall be provided to both sides of the access. Thereafter, those splays shall be retained clear of any obstruction above a height of 600mm from footway level.

Reason: In 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 12 The details submitted under condition 1 above shall include areas for parking, turning and manoeuvring of vehicles in connection with the use of the dwellings, including surfacing materials and measures for demarcation of spaces. Notwithstanding the details shown on the submitted drawings, the access driveway shall be of a minimum width of 5.5 metres for a distance of 10 metres from the back edge of the public highway and 5 metres in width thereafter.

The dwellings shall not be occupied until those areas are provided in accordance with the approved details. Thereafter, those areas shall not be used for any purpose other than the parking and turning of vehicles in connection with the use of the dwelling to which they relate.

Reason: In the interests of 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).

- C 13 The existing unauthorised eastern access to Constantine Drive shall be permanently closed to vehicular traffic before occupation of the dwellings. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.

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 14 Notwithstanding the vehicular access details hereby permitted and prior to first occupation of any dwelling, the vehicular access shall be gated in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter, the vehicular access shall remain gated at all times.

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 15 Prior to the commencement of development, full and up-to-date design details of the proposed surface water drainage system to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be constructed and completed prior to first occupation of any dwelling.

Reason: To ensure that the dwellings approved are not at unacceptable risk from flooding, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C 16 Prior to the commencement of development, full details of a scheme (including phasing) for the provision of mains foul water drainage on- and off-site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no dwelling 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 the provision of sustainable water infrastructure, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011).

- C 17 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the Local Planning Authority dispenses with any such requirements in writing:

- a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.
- b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority.

Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the Local Planning Authority. The remediation scheme shall be carried out as approved and in accordance with a timetable contained therein.

On completion of remediation, two copies of a closure report shall be submitted to the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method

Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with paragraphs 120 and 121 of the National Planning Policy Framework and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 18 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with paragraphs 120 and 121 of the National Planning Policy Framework and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C 19 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).

This page is intentionally left blank