

**Application Ref:** 15/00415/FUL

**Proposal:** Proposed demolition of timber pavilion and erection of two detached "Prestige" homes

**Site:** Peterborough City Lawn Tennis Club, Park Crescent, Peterborough, PE1 4DX

**Applicant:** Seagate Homes

**Agent:** Mr John Dadge  
Barker Storey Matthews

**Site visit:** 10.04.2015

**Case officer:** Miss A McSherry

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

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

### **Site and Surroundings**

The site is the last remnants of a tennis club that has been on site for about 100 years. Part of the site was developed for housing in the 1970's, leaving a wooden clubhouse and four grass tennis courts which are the subject of this application. The courts are not currently in use, and have not been in use for a number of years. The site is currently laid grass, with the wooden clubhouse still in position, and is screened from Park Crescent by an approximately 2m high hedge and 1m high diaper work wooden fence.

The site falls within the Park Conservation Area and lies opposite Central Park. The adjoining houses are modern (having been built around 1970), although the overall character of the area reflects its history as an Arcadian Victorian/Edwardian residential area. The character of the surrounding area is generally one of large residential properties set within large plots, screened from the road with mature trees and hedges.

### **Proposal**

Planning permission is sought for the construction of two detached, two storey residential properties on the site. Both of the properties proposed are to have 5 bedrooms, with a detached double garage proposed for each property. Independent vehicle/pedestrian accesses are proposed on the site frontage for each property.

A previous planning permission for 3 dwellings on the site had a planning condition on it stating that no house could be occupied until replacement tennis courts had been provided at Peterborough Town Sports Club. This was because there are policies that protect sports facilities from redevelopment. The prospective buyer and developer of the site is unable to get the finance for the development because the condition effectively puts the developer / finance company in the hands of a third party. Therefore, alternative ways of delivering replacement courts needs to be looked at.

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
11/00225/FUL	Construction of 2 x 4 bedroom and 1 x 3 bedroom detached prestige dwellings	Permitted	18/11/2011
14/00095/WCPP	Removal of condition C2 (Construction of tennis courts) of planning permission 11/00225/FUL - Construction of 2 x 4 bedroom and 1 x 3 bedroom detached prestige dwellings	Withdrawn	14/04/2014
09/01294/FUL	Construction of 2 x two storey 4 bed detached dwellings and 1 x two storey 3 bed detached dwelling	Refused	11/06/2010
08/00438/FUL	Construction of 10 two bedroom apartments in three buildings	Refused	25/11/2008
06/01243/FUL	Erection of 10 apartments in three blocks	Refused	02/11/2006
06/00625/FUL	Erection of 12 apartments in three blocks	Withdrawn	25/07/2006
97/00695/FUL	Erection of timber storage shed and demolition of existing shed	Permitted	13/08/1997

## **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 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.

#### **Paragraph 74 – Sports land**

Sports facilities should not be lost unless equivalent or better replacement provision in a suitable location is secured.

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

#### **CS10 - Environment Capital**

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

#### **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.

### **Peterborough Planning Policies DPD (2012)**

#### **PP01 - Presumption in Favour of Sustainable Development**

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

#### **PP02 - Design Quality**

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

#### **PP03 - Impacts of New Development**

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

#### **PP04 - Amenity Provision in New Residential Development**

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

#### **PP12 - The Transport Implications of Development**

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

#### **PP13 - Parking Standards**

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

#### **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.

#### **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.

## 4 Consultations/Representations

**PCC Transport & Engineering Services** – No objections – Vehicle to pedestrian splays are required for new accesses as per plan 3717-PO1 Rev A. Access widths of 3.5m wide are required where there is no separate pedestrian access. The turning facilities proposed are acceptable.

**PCC Conservation Officer** – No objections – This proposal is considered to be an improvement to the previously approved scheme 11/00225/FUL, and sympathetic to this part of the conservation area, by being single detached dwellings in large landscaped plots. The design of the buildings has a clear architectural philosophy that is reflective of the Victorian character of this part of the conservation area. The proposed form, materials and details are appropriate. There is now a greater change in detail between each property to the Crescent to provide a pleasant differentiation. Narrower entrances off Park Crescent should be sought, rather than the 8m per property, which includes the access and visibility splays. Generally 3.2m wide accesses are characteristic of those in the surrounding Crescent, with a strong landscaped/hedge front boundary treatment. The proposal is considered to further the objectives of the Park Conservation Area Appraisal and enhance the character and appearance of this part of the Park Conservation Area.

**Sport England** – No objections – The site is not a playing field as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), therefore Sport England have considered this a non-statutory consultation. We remain of the view that a condition requiring the provision of the replacement courts at Peterborough Town Sports Club should still be imposed on any grant of planning permission. We would re-consider a slightly less onerous wording for such a condition if this was considered necessary to ensure the scheme is successfully delivered. FURTHER COMMENTS ARE AWAITED

### **Archaeological Officer**

No objections – The available evidence indicates the site has low archaeological potential, therefore there is no need to secure a programme of archaeological works.

### **PCC Tree Officer**

No objections – The trees on neighbouring sites that overhang the site are protected by their location in the Park Conservation Area. Any pruning works to trees on adjacent land will require the submission of a 211 notification.

### **Councillor J Peach**

No comments received

### **Councillor Richard Ferris**

No comments received

### **Broadway Residents Association**

Objection – It is regrettable that the applicant did not discuss their proposals with us before, as this may have prevented our objection. The proposal for 2 houses, and their design and layout is better than previous proposals and are generally acceptable to us. It is hoped that our objections could be dealt with by conditions. In respect of the impact of the proposal on the Conservation Area we are concerned about the loss of a large amount of boundary hedging on the site frontage. We would suggest a landscaping condition to deal with this. There is concern about what would be proposed as a boundary treatment, on removal of the pavilion building, however this could be dealt with by way of a condition. The loss of sports facilities on this site is regrettable. A condition and/or legal agreement is required to ensure that the proposal complies with the NPPF and associated planning policy in respect of securing the provision of suitable alternative replacement sports facilities. This needs to be as equally binding as condition 2 of planning permission 11/00225/FUL. There are number of errors/inconsistencies in the submission details. We are concerned about the loss of hedging proposed by the 2 wide accesses and visibility splays and the damaging effect this would have on the appearance of the streetscene and existing hedge. Suggest that the accesses

are narrowed down to allow the retention of more of the front boundary hedge. There is an error in the Design and access statement, which refers to 2 x 4 bed properties, when in fact they are 5 bedrooms. We would wish a condition to be imposed to restrict the properties to dwellings, and prevent the future conversion to flats. The developer should be made aware of the objections made over the last 10 years on this site to previous inappropriate development. If our concerns can be addressed by conditions then we would withdraw our objection. A meeting may be beneficial.

#### **Victoria Park Residents Association**

No comments to make.

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

Initial consultations: 75

Total number of responses: 5

Total number of objections: 4

Total number in support: 1

5 letters of representation have been received from local residents, including 1 letter of support, the following issues were raised:-

- This application is far better than previous applications on the site and addresses nearly all objection to the last application 11/00225/FUL.
- The S106 agreement of the last application 11/00225/FUL, needs to also to be secured for this application.
- The removal of the pavilion building, may reveal a poor quality boundary wall. The applicant should be responsible for any required repairs/upgrade to the boundary treatment in this location to provide the necessary security and privacy.
- Overlooking of neighbours gardens will result from the south side first floor bedroom window of plot 2, this window should be obscure/opaque, and this should be secured by condition.
- This proposal for 2 family houses, should have been proposed 10 years ago, to have prevented years of local objection, and the houses would have been built years ago at a time when the market was more beneficial.
- Replacement tennis facilities need to be secured by a legal agreement
- The front boundary hedge and fence should be protected, as they are characteristic of the surrounding Crescent and Conservation Area.
- These properties should be retained as family homes and not converted to flats of multiple occupancy, this should be conditioned. The Planning Committee has already refused proposals for flats on this site.
- As many trees should be protected and retained as possible, to enhance the landscape.

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

The main issues are:-

### **a) Planning History**

Planning permission was approved by the Planning and Environmental Protection Committee under planning reference 11/00225/FUL for 3 houses on the site, two on the site frontage and a Coach House at the rear. This planning permission secured replacement tennis facilities, by way of a planning condition, which stated:-

No development shall commence until such time as the construction of the tennis courts approved under 11/00230/FUL has commenced and no dwelling shall be occupied until such time as the said courts are completed in accordance with the associated planning

permission and operational.

Reason: To ensure that the alternative tennis court provision is provided in accordance with Policy LT3 of the Adopted Peterborough Local Plan (First Replacement).

This planning permission has commenced on site by the digging of foundation trenches, therefore this planning permission is extant. The replacement tennis courts planning permission 11/0230/FUL has similarly commenced, by the digging of foundation trenches, and so is also extant.

Prior to this, under planning reference 09/01294/FUL Members refused a proposal for 3 houses on the site, on the grounds that there was insufficient assurance that the alternative provision of tennis facilities could actually be provided in a suitably timely way to a standard that adequately reflects the quality and location of the resource that is proposed to be lost to development. The appeal for this refused application was withdrawn.

Prior to this consent there were two previous applications on this site for ten apartments contained within three blocks that were both refused by Members and dismissed on appeal. The last of these appeals was dismissed because although the applicant was willing to enter into an agreement to provide replacement courts somewhere in Peterborough and allow the City Council to access the funds raised from the sale of the site to provide the replacement courts in the event the Tennis Club failed to deliver the courts in a reasonable timescale, the Inspector saw that there was a lack of certainty about the provision of the new courts (see appendix 1 para 6-10). The problems identified were; that there was no specific site for the new courts and so suitability of the site and the cost of the new courts could not be established, and the Council was not a party to the proposed agreement and so there was no fall back in the event that the tennis club failed to deliver the new courts.

#### **b) Replacement Tennis Facilities**

Planning permission was granted by the Planning Committee under Planning Reference 11/00230/FUL for two hard surfaced, covered, floodlit tennis courts at Peterborough Town and Sports Club, in Bretton.

Both Sport England and the Lawn Tennis Association (LTA) considered that the tennis facilities proposed under planning permission 11/00230/FUL would constitute adequate replacement facilities for those lost at this application site, in Park Crescent. This was because whilst 4 former grass tennis courts were lost at Park Crescent, their potential hours of play were limited to dry weather and daylight hours. Whereas the 2 proposed covered and flood light courts at Bretton, would have the extended hours of play between 8am and 10pm Monday to Sunday. In addition the Bretton site has the potential of linked sporting trips, as a range of different facilities are provided on that site, so families or groups could arrive together and participate in different sports. The Bretton site also has larger changing and clubhouse facilities and has on site car parking.

This permission has commenced, by the digging of trenches on site. Therefore hypothetically should anyone wish to build the 3 houses approved by planning permission 11/00225/FUL, they could built them, but in accordance with condition 2, they could not occupy them until the replacement tennis facilities were completed and operational.

Seagate Homes wishes to buy the site from the Tennis Club and build 2 rather than 3 houses, hence this planning application. Their financiers will not lend them the money on the basis of the existing condition 2 of planning permission 11/00225/FUL or similar due to the risk involved in being reliant on a third party delivering the replacement tennis facilities in a timely manner and before they can sell and allow occupation of their 2 houses. The Tennis Club are reliant on the sale of the land to finance the replacement tennis facilities.

Due to the Banks not being willing to fund the construction of the houses on this tied basis, due to the planning condition we are therefore in a position in which the existing site remains unused, unable to be redeveloped and no new courts are provided. Whilst it has been rejected previously, including at appeal it is time to reconsider the appropriateness of planning permission being granted provided that there is a legal agreement in place (instead of a planning condition) to secure the delivery of the replacement courts within a reasonable timescale and to include the provision for the Council being able to access the money from the sale of the lawn tennis club site so that it can facilitate the provision of replacement courts should the Tennis Club fail to deliver.

The Tennis Club are currently looking into the acquisition of a framed fabric building to cover the proposed tennis courts from an existing club who are selling their facility, however if this proves not to be possible are proposing to implement the 11/00230/FUL planning permission as approved.

On this basis Officers are of the view that the proposed replacement tennis facilities, approved under planning reference 11/00230/FUL, could be adequately secured and are in accordance with the NPPF in that they would be equivalent or better replacement provision in a suitable location to those lost.

### **c) Siting, scale and design**

The two dwellings proposed under this application on the site frontage are similar in terms of their siting, scale and design to those approved under planning reference 11/00225/FUL.

The two large properties proposed sit very comfortably on their large plots and are characteristic of many of the plots in the surrounding Crescent. The properties are set back from the road frontage, with generous front gardens and sit comfortably with adjacent building lines.

The proposed villas incorporate a positive architectural consistency incorporating a mixture of architectural materials and devices drawn from different buildings such as the use of small fishscale hanging tiles to the forward gable of plot 1, pierced and shaped bargeboards and part render. A further differentiation between the two buildings proposed can be achieved by a decorative fishscale pattern in the hanging tiles to the forward gables to plot 1, this can be secured by condition.

The proposed development is therefore considered to be in accordance with Policies CS16 of the Core Strategy and Policy PP02 of the Planning Policies DPD.

### **d) Impact on residential amenity**

It is considered that the siting, scale and design of the 2 properties would not result in an unacceptable impact on the residential amenity of any surrounding neighbouring sites. It is considered that there would be sufficient separation distance between the new houses and those existing so that no unacceptable overbearing impact would result. The siting of the properties would also not result in any unacceptable overshadowing impacts.

Concern has been raised in respect of the reduced privacy, from the first floor side bedroom 3 window of Plot 2 and the overlooking that would result for neighbouring sites. This window is a secondary window to this proposed room, therefore it is proposed to be obscurely glazed; this will be secured by planning condition, to protect the privacy of neighbours.

Therefore it is considered that the proposed properties would not result in any unacceptable impact on the residential amenity of neighbours. This is in accordance with Policies CS16 of the Core Strategy and Policy PP3 of the Planning Policies DPD.

### **e) Impact on the character and appearance of the Conservation Area**

The original form of development intended for Park Crescent was of large detached, ornate, single dwellings, set in their own landscaped grounds. Today, the character of this part of the conservation area is largely shaped by the "wall" of landscape forming the outer edge of Central Park and the mature hedges and forest trees that form a visually cohesive outer enclosure.

The proposed dwellings follow the general building line established by the existing built form. They would capture the scale and grandeur of those to the west side of Park Crescent themselves reflective of the original building aspired to by the Peterborough Land Company (PLC). The development is expected to strengthen the Arcadian character at the eastern end of Park Crescent.

The overwhelming boundary character influence on Park Crescent is hedge, typically privet. They substantially contribute to the character and appearance and form a near continuous feature in the area and the same should form the frontage boundary to the site.

The single access is to be replaced by 2 x 3.2m wide drives. However, with the addition of 2m pedestrian to vehicle visibility splays on each side of the accesses it would make each entrance about 8m wide. These wide vehicle entrances are not characteristic of the area, and would be harmful to the Conservation streetscene character, which is a wall of hedge and tree landscaping.

It is considered that to preserve the character and appearance of the conservation area the entrances to each property should be no greater than 3.2m wide in total, to allow the 2m high hedge to remain on either side of these entrances, in line with the other entrances in the Crescent, thereby deleting the proposed 2m visibility splays on either sides of the accesses.

It is recommended that a landscape scheme of various species is designed to create a continuous wall of foliage, winter and summer to the Park Crescent frontage giving glimpses of the buildings, such as such as Holm oak (*Quercus ilex*), in combination with beech (*Fagus sylvatica*) and privet, and combined with smaller trees (such as holly and hawthorn) to give a varied structure. This would reinforce the general character of the area with planting to the frontage and rear of buildings and produce the sense of enclosure sought, winter and summer.

From a heritage consideration the proposed development can be supported, subject to conditions in respect of landscaping and materials. It is considered that the work will preserve the character and appearance of this part of the Park Conservation Area in accordance with Section 72(1), of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is in accordance with Peterborough Core Strategy DPD (2011), Peterborough Planning Policies DPD (2012) and the National Planning Policy Framework (Heritage considerations).

## **f) Highways**

The Local Highway Authority require each new shared vehicle and pedestrian accesses to be 3.5m wide, with 2m x 2m pedestrian visibility splays on either side, where there can be no boundary treatment including hedges above a height of 600mm. Therefore 2 x 7.5m wide sections of the existing frontage boundary hedge would have to be removed or lowered in height to 600mm to accommodate these new accesses. The previous planning approval proposed a single central access on the site frontage to serve all three properties to minimise the loss of the existing landscaped frontage.

It is considered that the loss of a substantial part of the front boundary hedge would be visually detrimental to the existing landscaped site frontage, and the character and appearance of the surrounding Conservation Area. Therefore whilst the provision of pedestrian visibility splays are usually considered to be essential for all new accesses, in this instance it is considered the harm to the Conservation Area would outweigh the harm caused to pedestrian safety from vehicles entering or leaving these two single dwelling accesses.



The parking and turning facilities proposed on site for each dwelling is acceptable and in accordance with Policy PP13 of the Planning Policies DPD.

### **g) Community Infrastructure Levy (CIL)**

Peterborough City Council adopted its CIL Charging Schedule and CIL Supporting Policies Document on 15<sup>th</sup> April 2015. The Council also adopted a Developer Contributions Supplementary Planning Document, on 7<sup>th</sup> April 2015.

The purpose of CIL is to raise funds from developers who are undertaking new building projects, to help pay for infrastructure that is needed to support new development. For this application the CIL payable for this development replaces the previously proposed Planning Obligations Implementation Strategy (POIS) contributions sought by S106 legal agreement.

The CIL payment is calculated on the basis of a tariff style system, based on the amount of floorspace to be created.

The developer is invoiced for the CIL contributions payable, if planning permission is issued.

## **6 Conclusions**

The existing planning permission cannot be built out because the planning condition stating that no house can be occupied until the replacement courts are provided is preventing the scheme from obtaining finance.

Whilst it has previously been rejected by planning committee and at appeal because of the issue of uncertainty about the delivery of replacement courts, using a legal agreement rather than a planning condition must be looked at again as it is the only solution that is likely to unlock the situation. Whilst not ideal given the potential risks, it appears that it is the only viable solution and therefore officers are recommending approval of the application subject to the owner/applicant entering into a legal agreement for provision of the replacement tennis facilities.

With regard to the other aspects of the development, 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 redevelopment of the site with the 2 houses proposed, is considered to be acceptable on this site.
- It is considered that the work will preserve the character and appearance of this part of the Park Conservation Area.
- It is considered that there would be no unacceptable impact on the residential amenity of neighbours.
- It is considered adequate replacement tennis facilities could be secured by Private legal Agreement.
- The proposal is therefore considered to be in accordance with the NPPF, and Policies CS16, CS10, and CS17 of the Core Strategy, and Policies PP02, PP03, PP04, PP12, PP13, PP17 and PP16 of the Planning Policies DPD.

## **7 Recommendation**

Subject to there being a legal agreement in place which:

- Requires the Lawn Tennis Club to put the money from the sale of the site (less any commitments) in ESCROW and use the money to provide the replacement courts in a reasonable timescale
- Allows the City Council to access the ESCROW and use the money on the provision of replacement courts in the event that the Tennis Club fails to do so

The Director of Growth & Regeneration be authorised to **GRANT** planning permission subject to 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 above ground development of either plot shall take place until details of the proposed flush fitting casement windows, and also for plot 1 details of the architectural pattern to the hanging tiles, have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

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 Prior to the first occupation of the dwellings the area shown for the purposes of parking/turning on drawing number 3717-P01 Rev A shall be provided. Such provision shall thereafter be retained for this purpose and not put to any other use.

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

- C 4 Notwithstanding the details of plan 317-P01 Rev A, each vehicle access shall be a maximum of 3.5m in width, however the 2m x 2m visibility splays shown on either side of the accesses are not hereby approved.

Reason: In order to preserve the special architectural and historic character of the Park Conservation Area in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012).

- C 5 Before the development hereby permitted is first occupied, the proposed Plot 2 and Plot 1, first floor southern elevation windows, 2 x en-suite and 1 x bedroom 3 and first floor northern elevation bathroom window, shall be obscure glazed, 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 and shall subsequently be retained as such.

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 6 Prior to first occupation details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. These shall be erected in accordance with the approved details prior to occupation and maintained 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 7 No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Proposed finished ground and building slab levels
- Planting plans including retained trees, species, numbers, size and density of planting
- An implementation programme (phased developments only)
- Details of any boundary treatment

The approved hard landscaping scheme shall be carried out with regard to the dwelling to which it relates, prior to the occupation of that dwelling and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Reason: In the interests of visual amenity and then enhancement of biodiversity in accordance with policy CS21 of the adopted Core Strategy and policy PP16 of the adopted Planning Policies DPD.

C 8 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 PP16 of the Peterborough Planning Policies DPD (2012).

C9 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).

Copy to Councillors Ferris R, Shearman J and Peach J

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