

<b>Application Ref:</b>	15/00976/FUL
<b>Proposal:</b>	Construction of 31, two-bedroom flats together with associated access, parking areas, bin stores and cycles stores
<b>Site:</b>	Former Sewerage Works, Potters Way, Fengate, Peterborough
<b>Applicant:</b>	Mr James Griffiths, Kier Living Ltd
<b>Referred by:</b>	Director of Growth and Regeneration
<b>Reason:</b>	Wider concern and previous Committee decision
<b>Site visit:</b>	22.07.2015
<b>Case officer:</b>	Miss Louise Lovegrove
<b>Telephone No.</b>	01733 454439
<b>E-Mail:</b>	louise.lovegrove@peterborough.gov.uk
<b>Recommendation:</b>	<b>GRANT</b> subject to relevant conditions

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

### **Site and Surroundings**

The application site comprises two separate parcels of land within the wider site which formerly contained the Potters Way sewage treatment works. Potters Way is a residential development, the bulk of which has been built out. The northern-most parcel of land is currently occupied by the Sales Office for the wider development, whilst the southern-most parcel is presently the construction compound.

There is a long planning history associated with the wider site which is detailed in Section 2 below. However, the pertinent permissions are:

- 03/01619/OUT which granted outline planning permission for the redevelopment of the site
- 06/01874/REM
- 08/00321/REM for 259 apartments (an amendment to the 2006 REM above)
- 10/00329/FUL

The large apartment block, which is situated along the Parkway frontage, was granted consent under the 2006 and 2008 reserved matters applications set out above. These have been in situ for a number of years. The remaining land to the rear, which comprises a mixture of dwellings and apartment blocks was granted permission under the 2010 full planning application, with various amendments to the layout and substitution of house types approved in 2013 and 2014. This part of the site is largely complete.

To the east of the site lies an area known as Embankment End Marsh which directly links to the Nene Washes SPA/SSSI/Ramsar Site and to the south is a capped landfill site. Vehicular access to the Potters Way development is from a roundabout off Fengate which leads west towards the City Centre and east into the identified Eastern General Employment Area. A section of the site has been formed by reclamation of part of the marsh and this has already been completed.

It should be noted that the two application sites, and wider development, are located within the identified Fengate South Policy Area. Both sites, along with the wider development are allocated for residential development under Policy CC8.1 of the Peterborough City Centre DPD (2014).

## Proposal

The application seeks planning permission for the construction of 31no. 2-bedroom apartments within three separate blocks: one to the northern site; and two to the southern site. The proposal also includes associated car parking and landscaping.

## 2 Planning History

Reference	Proposal	Decision	Date
97/00784/OUT	Site restoration and re-development	Permitted	24/01/2000
03/01619/OUT	Reclamation of site for residential and ancillary development (revised plans/Urban framework received 21/12/04)	Permitted	20/10/2006
05/00263/FUL	Demolition of existing structures and remediation of land prior to development	Permitted	16/05/2005
06/01874/REM	Erection of 261 apartments in 3, 4 and 5 storey blocks above semi-basement parking	Permitted	09/03/2007
08/00321/REM	259 apartments in 3, 4 and 5 storey blocks, above semi-basement and (ground level) undercroft car parking. AMENDMENT TO PREVIOUS RESERVED MATTERS APPROVAL 06/01874/REM for 261 apartments	Permitted	07/07/2008
10/00329/FUL	Erection of 288 dwellings comprising 87 apartments and 201 houses	Permitted	29/07/2010
11/00129/NONMAT	Non-material amendment to planning permission 10/00329/FUL dated 29/07/2011 to change the house type at plot 186 from P2A to P3A, and to change the house type at plot 188 from P3A to P2A	Approved	15/02/2011
11/00132/FUL	Various amendments to previously approved planning application 10/00329/FUL (Erection of 288 dwellings comprising 87 apartments and 201 houses) - comprising - Revisions to plots 165, 166 and 167, revisions to car parking layout serving plots 165 to 170, removal of 4 x sulo bins and replacement with bin stores	Permitted	11/05/2011
11/01010/NONMAT	Variation of conditions C2 to remove underground bin store to the north of flats (plot nos. 153-164) and variation of condition C3 - construction of bin store to the south of flats (plot nos. 153-164) - of planning permission 11/00132/FUL	Approved	29/09/2011
11/02018/NONMAT	Non-material amendment to planning permission 11/00132/FUL dated 31/01/2011 - Alteration to sighting of foul water pumping station enclosure, movement of flat block 393-398 southwards from the northern boundary and redesign of the associated private parking court and cycle store	Approved	06/01/2012

13/01288/FUL	Amendment to existing approved scheme under planning reference (10/00329/FUL), to provide an additional 11 units by way of replacing existing 3 storey flat blocks E and G with a four storey block, replacing a terrace of 5 units with 3 storey flat block L (9 units), also changing detached plots 244 and 243 into a semi-detached property and adding an additional terraced unit - plot 451	Permitted	03/12/2013
14/00438/FUL	Substitution of house types to plots 243 and 244, 296 to 313 (including deletion of 3 units); Deletion of plots 314 - 317 and 327 - 328; construction of new 3 storey flat block (Block M) comprising 12no 2 bed units; Repositioning of flat Block E; Replacement of part of link road with new footway/cycleway and associated parking, highway and landscape amendments	Permitted	10/07/2014
14/00854/NONMAT	Non material amendment off planning permission 14/00438/FUL - Substitution of house types to plots 243 and 244, 296 to 313 (including deletion of 3 units); Deletion of plots 314 - 317 and 327 - 328; construction of new 3 storey flat block (Block M) comprising 12no 2 bed units; Repositioning of flat Block E; Replacement of part of link road with new footway/cycleway and associated parking, highway and landscape amendments	Approved	27/08/2014

### **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 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 - Open Space**

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

##### **Section 10 - Development and Flood Risk**

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without

increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

### **Section 11 - Biodiversity**

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

### **Section 11 - 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.

### **Section 11 - Noise**

New development giving rise to unacceptable adverse noise impacts should be resisted; development should mitigate and reduce to a minimum other adverse impacts on health and quality of life arising. Development often creates some noise and existing businesses wanting to expand should not be unreasonably restricted because of changes in nearby land uses.

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

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

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

### **CS08 - Meeting Housing Needs**

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

### **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).

### **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.

### **CS21 - Biodiversity and Geological Conservation**

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

### **CS22 - Flood Risk**

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

### **Peterborough 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.

#### **PP14 - Open Space Standards**

Residential development (within Use Classes C3 and C4) will be required to provide open space in accordance with the minimum standards. The type of on-site provision will depend on the nature and location of the development and the needs of the local area.

#### **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.

#### **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.

## **4 Consultations/Representations**

#### **PCC Archaeological Officer (22.09.15)**

No objections - The application site is considered to have low archaeological potential due to modern disturbance. Therefore, a programme of evaluation is not justified.

#### **PCC Building Control Manager**

No comments received.

#### **PCC Pollution Team (14.09.15)**

No objections - The submitted noise assessment report is accepted. To provide adequate noise insulation, alternative methods of ventilation will be required, including acoustic trickle vents and

rapid (purge) ventilation. Specific details of how this will be achieved have not been submitted and these will be required [by way of condition].

**PCC Transport & Engineering Services (02.10.15)**

No objections - The revised layout would provide adequate parking and access arrangements. Request a number of conditions relating to provision and retention of parking, cycle parking, access and turning facilities.

**PCC Travel Choice (17.09.15)**

No Travel Plan has been submitted and this should be expected for a development of this size. Sustainable Travel Information Packs should be provided in each new dwelling [to be secured by condition].

**PCC Strategic Housing (16.09.15)**

In accordance with Policy CS8 of the Peterborough Core Strategy, 9 of the proposed units should be affordable homes and 20% of the units should meet the lifetime homes standard.

**PCC Senior Recreation Officer**

No comments received.

**Lead Local Drainage Authority (25.05.15)**

No objections - The submitted FRA does not address the current requirements of the National Planning Policy Framework to secure surface water drainage through SuDS. However, given that the wider site has an agreed discharge point for surface water, a condition should be imposed which secures a finalised surface water drainage strategy for the development.

**PCC Waste Management (29.09.15)**

Objection - The current proposals for bin storage are inadequate. Block N will require 2 x 660 litre waste and 2 x 660 litre recycling bins whereas Blocks R and P will require 2 x 1100 litre waste and 2 x 1100 litre recycling bins. Food waste bins for each block should also be provided.

**PCC Wildlife Officer (30.09.15)**

No objections - The proposal involves the removal of vegetation around Block N which may support nesting birds. Therefore the standard bird nesting informative is recommended. Any potential landscaping should use a range of native shrub and plant species.

**Natural England - Consultation Service (22.09.15)**

No objections - The proposal is unlikely to affect any statutory protected sites or landscapes. Standing advice should be used in the consideration of impact upon protected species. The application may also provide opportunities to incorporate biodiversity enhancements.

**Environment Agency (01.10.15)**

No objections - Request that a condition be imposed securing full details of a scheme for the provision of mains foul water drainage on and off-site to prevent flooding, pollution and detriment to public amenity.

**Police Architectural Liaison Officer (23.09.15)**

No objections, recommendations or further observations.

**Cambridgeshire Fire & Rescue Service (28.09.15)**

No objections - Adequate provision should be made for fire hydrants and access by service vehicles.

**North Level District Internal Drainage Board (29.07.15)**

No comments.

**The Wildlife Trusts (Cambridgeshire)**

No comments received.

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

Initial consultations: 267

Total number of responses: 19

Total number of objections: 17

Total number in support: 0

Seventeen letters of **objection** have been received from local residents on the following grounds:

#### ***Parking and highway implications***

- Recent changes to the original plans has led to the building of more flats than houses. Kier do not provide enough parking and the roads are already overcrowded. Every day along Hammonds Drive you will find cars double parked or cars and sometimes vans parked on the pavement or in the driveways making it difficult to get by them. By allowing the development of more flats it will put a further strain on what is already an overcrowded road.
- The already insufficient parking and unsafe road will create an accident hotspot which will put all at risk of serious harm.
- As with the rest of the flats on this site, the application put forward has only a small amount of visitor parking. You have not allowed for visitor enough parking so will only increase the already overcrowded streets with more cars with nowhere to park.
- Kier have employed a private company to issue parking tickets to current residents. Some issued at 11pm in the evening. 31 more flats will cause an impossible situation.
- Since the growth of the development on the former Sewerage works the access and egress into Fengate is grossly inadequate. The small roundabout at the junction is inadequate and completely ignored by drivers. There have been many accidents. All minor, but still, although not on record by the police, still occur. Until traffic lights are installed, no further development should be allowed.
- Whilst serving as a City Councillor (Marion Todd), I asked, on several occasions for a 24 hour study to be undertaken. Purely to ascertain on the traffic generated by the current development. With the removal of the traffic calming island in Bishop Rd between Star Rd and Mitchell's close, which has been responsible for many accidents and traffic delays since its installation. Traffic lights at the junction at Potters Way would have the desired effect as traffic calming and make the junction safe.
- I (Hammonds Drive) understand that the rules concerning the provisions of sufficient safe parking spaces has changed since the original blocks were built, but if there is room to build more apartments then surely consideration should be given to using that land to provide additional safe parking for existing residents.
- I (Hammonds Drive) read with disbelief that the construction company cites aesthetics as the main reason for the application, and I am sure I can speak for many residents when I say that we are far less interested in the softening of the view as you drive onto the site than we are with addressing the safety issues arising from the current lack of off-road parking spaces.

#### ***Loss of open space***

- There are limited areas for children to play safely and the proposed development site decrease this further. The whole site is already over developed with no areas of open space.
- Less attention to profit and more attention to the local community's needs is required.
- I have lived here over five years (Hammonds Drive). Original plans for town houses have been changed to multi storey flats. Areas which we were told would be open grass areas, play areas etc. are now going to be filled in by even more flats.
- The initial planning permission for the development – 10/00329/FUL – included as part of the site, a wide strip of land along the south side of the development which encompassed the area now intended to occupy Blocks P and R. This was designated as Public Open Space (POS). The plans for 12/00981/DISCHG show a landscaping scheme for the POS but not for the area subject to this application. Not requiring planting to this area was clearly a mistake by the

Council which has led to this current proposal.

- The proposal would mean the loss of an area of POS which, without doubt, should be maintained.
- I bought my flat only because I was assured that nothing else was going to be built after my block. There is supposed to be a little park with the playground for kids – at the moment there is no place like that in the development.
- The submitted Design and Access Statement states that the southern site is currently the site compound. This is incorrect as it has always been designated as POS. It also states that the purpose is to soften the edge of the large flat block which ends abruptly. The current form of development has appeal in terms of appearance from the riverside, from the river car park and travelling along the Parkway. This reasoning has no substance and represents an excuse for what is proposed.

### ***Neighbour amenity***

- This part of the estate (Miller Way) has been completed and the noise disruptions have basically finished. If this is developed we will be stuck with noise and more trade traffic.

### ***Overdevelopment***

- Bearing in mind the earlier increases in unit numbers approved, this proposal represents overdevelopment.

### ***Crime and safety***

- Properties are rented by owners on short term contracts. There has been an increase in the deterioration of the areas and security is lax. There has even been a fire in the basement of the main block.
- The proposed developments proximity to the poorly lit embankment access and open space encourages the illegal activity that takes place there to spread into the development.
- Approval of the proposed plan to build two further blocks will block out the light and cramp the immediate area. This will cause the area to become unsafe.

### ***Inadequate infrastructure capacity***

- Since the new blocks of flats on Hammonds Drive have been built the bins are always full and people leave bags of rubbish next to them. By letting Kier build more flats the situation will only get worse as the current bin situation cannot cope with present demand.
- Every time you come onto the development in the evening the smell is horrendous. It is clear that the sewerage system cannot take the volume of waste and allowing more flats will only make the situation worse.
- Kier promote the development as 21st Century living but I beg to differ. If overcrowded roads, abandoned cars, rubbish strewn over the side of the road and the strong smell of waste are the future then it's a step backwards. By allowing the building of the proposed flats it will only make a bad situation even worse.

### ***Misleading sales information/loss of views***

- Kier have proven to be a most irresponsible developer. Selling property by misleading purchasers into believing the development would not expand and ignoring repeated complaints about problems attached to the property.
- At present I (at Miller Way) have a view to the cathedral, once you construct this flat block we will only have views of another apartment block. The view which I have at the moment being on the top floor will disappear meaning my apartment will lose its value.
- We were told that the space in front of the apartment (Miller Way) where this planning will take place was originally going to be grassed up and not built on. This goes against what they [Kier] set out and with that I feel like I bought my property without being told the full story. I would not have bought a property in this location if this was going to happen. You will end up ruining a nice estate with this further development which shows the building company is purely motivated by greed and not customer service.
- When I bought my property on Hammonds Drive, I was assured that the existing show

apartment and the land and car park would never be built on and it would become a community facility.

- My property in Hammonds Drive currently faces in the direction of what has been deemed as Block N. Currently, I have nearly a 180 degree view of the from West to East of the city skyline and the surrounding villages from my lounge and a similar view from one from my master bedroom. Looking at the plans and height and closeness to my property most of the view would be lost. At the time that I purchased my property the view commanded a premium price. Although the total height is not clear, it will have a serious impact on the light that my property gets, the views and subsequently the value of my property. This can only be rectified by completely realigning my apartment so that all of the room face west rather than towards the new Block N. This would mean major internal and external construction work which I would expect the developer to undertake and compensate me for the inconvenience.
- We (at Hammonds Drive) have paid more for a higher floor to have a better view so we are saying big NO for the new properties in the front of our windows.
- As part of the negotiation process prior to purchase of a property on Hammonds Drive, personnel employed by and acting for the Developer answered questions stating that the development would not encroach any closer to the Parkway than that approved at the time. I fully appreciate and accept that no one has a right to a view and the comments of selling agents are not planning matters.
- When purchasing our property (No.20 Hartley Avenue) one of the main sale features and attractions to this property was the views from our balcony. We did ask if any properties would be built in the area where the proposed Blocks R and P would sit and we were both advised and shown plans (which we have copies of) showing it to be a public grassed area. As a result, we feel very strongly about the blocks being built as they would obstruct our balcony views, impact on our lighting and may possibly impact on the saleability of our property should we come to sell it.
- If permission is allowed we will have been sold our flat (at Hammonds Drive) under false pretences as we were told that Kier had no plans to build in front of us.

### ***Property devaluation***

- This further development will reduce the value of my property and those in close proximity and green space will be decreased.

Two local residents have raised **no objections** to the proposal but made the following comments:

- Could the developer make provision to restore the access between the south end of Hammonds Drive and Potters way as soon as possible. This access would allow residents at the south end of the estate to have easy access to the large green space on the other side of the A1139. I (at Hammonds Drive) currently need to walk over 15 minutes to access my local green space. Restoring the footpath access would cut this to 2 minutes. The access has been blocked for some time now by the site compound. I have no objection to this development as long as it does not further delay the construction of the foot and cycle path that can be seen on the plans. The developers should make the completion of the footpath a priority.
- On average once or twice a month rubbish ends up in the road not only causing a health hazard but also potentially serious damage or injury. Apartments by their very nature do not have an large internal rubbish storage capacity so need more not less bin provisions than houses which are able to leave rubbish outside in bags etc. I (at Hammonds Drive) would suggest that any new development needs to take the additional rubbish produced in to consideration and ensure adequate provision is made for this purpose otherwise there is a serious risk of degeneration of the site as a whole which is already happening as described.
- Parking has been a major problem and the single space provision is barely adequate this leads to cars blocking vehicle entrances and even preventing access to emergency vehicles on to the development by blocking the road on occasions. By adding an additional number of apartments this problem will be heightened and needs addressing before further development takes place.

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

The main considerations are:

- Principle of development
- Design and impact upon the character and appearance of the surrounding area
- Parking and highway implications
- Neighbour amenity
- Amenity provision for future occupants
- Contamination
- Ecology
- Flood risk and surface water drainage
- Developer contributions

### **a) Principle of development**

As detailed in Section 1 above, the application sites and the wider Potters Way development are allocated under Policy CC8.1 for residential development. Furthermore, whilst not approved for the construction of apartment blocks (as proposed), the two sites have an extant planning permission associated with the wider residential development which surrounds them and as such, residential use would be compatible.

However, it should be noted that the two areas in question have both previously been approved for use as informal public open space (POS) i.e. not planned or with any play equipment. Therefore, careful consideration must be given as to whether or not the loss of these areas is acceptable.

Within the wider development, there are small areas of POS which are planned, but not yet implemented - namely a localised equipped area of play (LEAP) to the south-eastern corner of the site to an area of 360sqm and the informal open space which forms the southern boundary of the site (to an area of over 6,000sqm) and has dual use for surface water drainage purposes. These are both due for provision upon completion of Phase 4 of the wider development, which runs along the southern and eastern boundaries of the wider site. Furthermore, within very close proximity to the site on the opposite side of the Parkway and access via a subway to the south-western corner of the site, there is the Recreation Ground and Regional Pool. This provides a large area of green public open space available for use. It is therefore considered that without the two areas subject to this application, the wider development would be served by an adequate provision of POS.

Notwithstanding the above, there is both a national and local drive to promote growth with particular emphasis of meeting housing need. Whilst the proposal would provide for a limited number of units (31 in total), this would still contribute towards delivering housing and within a site which has been allocated for such a use. It is considered that this should be afforded substantial weight in the decision-making process.

In addition to the above, careful consideration must also be given to ensuring that the land immediately to the south of the site (referred to in Section 1 above as the capped landfill site), which is allocated for future residential development, is not prejudiced in terms of its deliverability. Whilst the proposal would prevent any direct and easy vehicular access being granted from Hammonds Drive, there would still be an ability to gain access. Furthermore, there would also be access permitted from the existing public/private highway along Potters Way. The relationship of the two proposed southern blocks, in terms of primary habitable windows, would need to be considered as a result of future development of the neighbouring site but this can readily be achieved. As such, the proposal would not prejudice the future development of this parcel of allocated land.

Taking all of the above into account, it is considered that on balance, the benefit arising from the contribution towards meeting housing need outweighs the limited harm that would result

from the loss of the previously planned POS. On this basis, the principle of residential development on these sites is acceptable.

## **b) Design and impact upon the character and appearance of the surrounding area**

### ***Northern site***

This area is situated in a prominent position, at the only entrance into the Potters Way development from the existing built area of Peterborough. The proposed apartment building (identified as Block N) would be set back from the entrance roundabout by an area of hard surfacing which would provide the parking for residents and visitors. To the front of this, would be a small landscaped area which contains some of the historic pumping equipment associated with the former use of the site as a sewage treatment works.

The apartment building itself would be of a design and appearance which mirrors other similar blocks within the wider development. It would be of a staggered height - three storeys to the front and 4 storeys to the rear. This would act as a transition between the entrance to the site and the existing apartment block to the south (which has varied heights of three, four and five storeys above an undercroft parking area). In terms of the elevation treatment, the proposal would use a mixture of render, wooden cladding and brick finish which replicates the existing materials palette within the surrounding area. This, in combination with the replication of design features such as balconies and the windows/doors will ensure that the proposal fits into its surrounding context.

### ***Southern site***

This element of the proposal seeks the construction of two separate four storey apartment blocks which are of a handed design to that which is most closely related - Block G. The building type has previously been constructed on the site and as such, would not appear incongruous or at odds within the streetscene. In terms of their siting, both proposals would be situated immediately abutting the southern boundary of the site. Whilst this boundary, for the remainder of the development, comprises the linear POS, the proposal would maintain a street frontage which is already established by Block G. Accordingly, it is not considered that the siting would appear out of place.

On this basis, it is considered that the proposal would not result in any unacceptable impact upon 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) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

## **c) Parking and highway implications**

### ***Parking***

It is acknowledged that a large proportion of the objections received relate to the existing parking problems along Hammonds Drive and within the wider development area. At the time that these apartments/dwellings were approved, the City Council (in accordance with national planning guidance) had in place maximum parking standards. These standards prevented any additional parking above the standard of 1 space per 2-bed unit. Accordingly, following occupation of the development, there has been considerable overspill parking onto the highway. It is noted that some objectors have requested that the proposal make provision to rectify the existing parking shortages. However new developments cannot be required to resolve pre-existing problems and therefore, only consideration as to the impact arising directly from the proposal can be taken into account.

Objectors are also concerned that the construction of further dwellings would exacerbate this existing problem, and by virtue of the siting of the blocks, existing on-street capacity would be lost.

The City Council now has adopted minimum parking standards for residential development.

Policy CC11 of the Peterborough City Centre DPD (2014) and associated Policy PP13 of the Peterborough Planning Policies DPD (2012) states that 2-bedroom dwellings must provide no less than 2 parking spaces per unit and a proportion of visitors spaces (1 for every 6-8 units). With regards to the northern site (Block N), the proposal would provide a total of 15 parking spaces - 2 for each of the 7 proposed 2-bed apartments and 1 visitors bay. To the southern site (Blocks P and R), the proposal would provide a total of 52 parking spaces - 2 for each of the 24 proposed 2-bed apartments and 4 visitors bays. This level of parking provision fully accords with the adopted parking standards set out and on this basis, Officers are of the opinion that a reason for refusal could not reasonably be sustained at appeal.

With regards to the loss of existing on-street parking capacity, it is acknowledged that at present, the section of road which would be utilised for visitors parking associated with Blocks P and R, is presently available for parking by existing residents. However, on-site it has been observed that this only provides space for the parking of 4 vehicles, owing to the position of the undercroft parking access and underground bins. Whilst the loss of this on-street parking would result in some negative impact to existing residents, it is not considered that it would pose a highways safety danger and nor could it form a sustainable reason for refusal.

With regards to cycle parking provision, the scheme has been amended to provide sufficient stands (to PCC preferred specification) to accommodate 1 cycle parking space per bedroom. Whilst the design of the shelters within which these stands would be situated has yet to be finalised, this could be dealt with by way of a condition.

Accordingly, the proposal would provide adequate allocated parking to meet the needs of future residents and would not result in any unacceptable loss of existing parking provision. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011), Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and Policy CC11 of the Peterborough City Centre DPD (2014).

### **Access**

With regards to the southern site, the vehicular access is proposed from Hammonds Drive which has been adopted by the Local Highway Authority (LHA). The proposed road layout would ensure safe access by all vehicles, and includes adequate provision for turning by refuse and emergency vehicles. The road would still be adopted by the LHA, with only access to the parking courts being within private ownership.

To the northern site, the proposed parking area would be accessed off Potters Way which is adopted up to the proposed vehicular access. There is a small section within this proposed private parking court which is presently adopted public highway and this would need to be 'stopped-up' to accommodate the proposal. The LHA has not raised any objections to this as it would not pose any unacceptable dangers to highway safety.

It is noted that one of the objectors has raised concerns with regards to the impact upon the wider public highway network and, particularly, the junction of Potters Way with Fengate. In this instance, it is important to note the fall-back position which dates back to the original outline planning permission for the wider development site - 03/01619/OUT. This originally granted consent for up to 550 residential units. As set out in Section 2 above, the permissions for what has been built/consented on the site have altered since this original permission however the total number of dwellings presently built and consented, along with the current proposal, are still below the original limit of 550 units. As a result, there is no requirement for any additional off-site highway works to improve/alter junctions.

With regards to the references made of accidents, the LHA has advised that if these are not reported to the Police, there are no records to indicate whether there is an issue at the junction which needs to be addressed.

On this basis, the proposal would provide safe access by all highway users and is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

### ***Local Transport Plan***

The northern site lies within an area of land which is presently allocated within the Local Transport Plan 3 (LTP3) for a new southern spur road from Fengate onto the Frank Perkins Parkway. The LTP3 covers key transport infrastructure projects which are required within the City to either ease congestion or enable future growth however it only runs to April 2016. To date, the project has no secured funding. Furthermore, the City Council's Transport Planning Team has confirmed that this scheme is not being carried forward into the forthcoming LTP4. As such, the proposal would not conflict with any key transport infrastructure projects. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

## **d) Neighbour amenity**

### ***Northern site***

As detailed above, the proposed residential apartment block (Block N) would be of varying height albeit the section (the southern elevation) in closest proximity to the existing residential units to the south would be at four storeys. This would extend to a maximum height of 14 metres by virtue of the mono-pitched roof design. The proposed block would be sited approximately 16 metres from the facing elevation of the existing flats which lie to the south. These neighbouring units all have primary habitable windows facing towards the application site serving kitchen/living rooms and bedrooms.

The proposed level of separation is similar to other relationships within the wider development and exceeds many examples whereby the separation distances are only 14 metres. In light of this proposed level of separation, and the siting of the proposal to the north of the closest block, it is considered that there is sufficient separation so as to prevent any unacceptable levels of overshadowing or overbearing impact.

However, careful consideration must be given to potential overlooking impacts. The scheme has been revised to address this issue, through the repositioning of the front balconies further to the north so that they are sited at least 21 metres from the adjacent units. Furthermore, the side facing windows of the proposal, which serve the kitchen areas of the proposed flats, have been altered to be obscurely glazed so as to prevent any potential overlooking. However the proposal for obscuring is not acceptable in its present form and therefore it is considered necessary to impose a condition which requires Level 3 obscurity and non-opening unless the opening parts are more than 1.7 metres above floor level. It should be noted that these kitchens are open-plan to the living/dining areas and therefore sufficient daylight will be provided through the clear-glazed windows to the eastern elevation of the proposal.

With regards to the impact upon other neighbouring occupants to the east of the proposed Block N, these would all be sited between 30 and 35 metres from the facing elevation of the proposal. This is considered a sufficient level so as to prevent any unacceptable overlooking, overbearing or overshadowing impact.

### ***Southern site***

The proposed four storey apartment blocks (Blocks P and R) would be sited immediately to the south of the existing flats along Hammonds Drive and to the south-west of the four storey apartment Block G.

Block P would be sited approximately 22 metres from the facing elevation of the neighbouring apartment block to the North. It is considered that this is a sufficient level of separation between primary habitable windows so as to not result in any unacceptable loss of privacy for existing occupants. Furthermore, this would also be sufficient so as to prevent any direct

overshadowing or loss of natural daylight given that the proposal is to be sited due south of existing residents.

Block R would be sited in closer proximity to the nearest existing residential windows, being only 16 metres from the primary habitable windows of Block G. Whilst there would be facing primary habitable windows, given that there are other similar levels of separation elsewhere within the wider development, indeed some which are less, it is considered that the proposed relationship would not unacceptably harm the amenities of existing occupants. Furthermore, there is sufficient separation as to prevent any unacceptable loss of daylight to Block G.

### **General matters**

It is noted that several of the objections received from local residents have raised concern with regards to loss of views. This is also tied to objections relating to loss of premium property values that were paid owing to the outlook of the existing units – presently over either intended POS to the north or the open countryside to the south.

Within the planning system, there is no right to a view and property prices are not a material planning consideration. Therefore these objections cannot be considered as part of the assessment of the proposal. However, the matter of an acceptable outlook in terms of overbearing/overshadowing impact is a material consideration and has been discussed above.

In addition to the above, several objectors have raised concerns with regards to insufficient bin storage capacity within the existing development and the further increased demand resulting from the proposed additional units. In terms of the bin storage provision along Hammonds Drive, at present this is through underground bins. Whilst these bins are to the standard required by the City Council's Waste Services team, it is acknowledged that they have not worked and that there are issues of bin provision. However, new development cannot be made to rectify existing problems and therefore the current proposal must only provide adequate bin storage provision for future occupants. The present design is not acceptable as it does not accord with the standards set out in the RECAP Waste Management Design Guide SPD (2012) however there is adequate space to provide larger bin storage facilities than currently proposed and therefore this could be dealt with by way of a condition.

Taking all of the above into account, it is considered that the proposal would not result in an unacceptable level of harm to the amenities of neighbouring occupants and therefore, the proposal is in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

### **e) Amenity provision for future occupants**

Matters relating to levels of privacy and the relationship to neighbouring residential properties have been considered in the preceding section.

### **Noise**

The application has been accompanied by a detailed Noise Assessment given that both the northern and southern sites are within close proximity to the raised Frank Perkins Parkway. The City Council's Pollution Control Officer has reviewed this document and accepts the assessment contained therein. He has advised that because of the high noise levels generated by traffic using the Parkway, opening windows to enable rapid ventilation and control summertime temperatures will not afford occupants an acceptable level of amenity. As such, alternative methods of ventilation will be required, such as acoustic trickle and rapid (purge) vents.

In addition, the submitted report states that background ventilators and intermittent extractor fans will be used to meet the ventilation requirements of the Building Regulations however no specific details on these have been provided.

In light of this, it is considered necessary to impose a condition requiring the details of

ventilation and noise attenuation be submitted prior to the commencement of development. Subject to this condition, future occupants will not be subject to unacceptable noise levels within the units themselves.

With regards to outdoor noise, none of the proposed apartment blocks would have formal outdoor amenity areas. Instead, this would be provided either by the proposed balconies or through the informal green space surrounding the buildings. Given the proposed layouts, it is not possible for noise attenuation to be implemented and therefore these areas will be subject to high noise levels. However, given that the indoor areas will be within acceptable tolerances it is considered that, on balance, residents will not be subject to unacceptable noise impact overall.

**f) Contamination**

The application sites and wider development are brownfield land, previously used as the former Potters Way Sewage Treatment Works. Under application reference 10/00329/FUL, a scheme of remediation for the site was agreed and this has been implemented on the entire site, including the current application sites. The current proposal would not alter the requirements of the remediation scheme and therefore it is considered acceptable to secure the outstanding remediation by way of a compliance condition related to the previously approved schemes of remediation and monitoring. On this basis, the development adequately addresses the issues of contamination and would ensure that the land is suitable for the intended residential use, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

**g) Ecology**

A large proportion of the wider development site is located on reclaimed marshland which has been built in accordance with a reclamation scheme approved under application reference 10/00329/FUL. To the east of this is further marshland, which is ecologically sensitive and tied to the Nene Washes SSSI/SPA/RAMSAR site, of European conservation value. As part of the previous permissions on the wider development site, a number of mitigation schemes relating to the management of the wider marshland, prevention of cat predation and management of non-native invasive species were approved.

The current application sites are located a sufficient distance from this marsh land so as to not require any conditions relating to protection or management of this marsh and nor would the proposal impact upon the schemes secured through previous permissions on the wider development site.

On this basis, the proposal is in accordance with paragraph 118 of the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012).

**h) Flood risk and surface water drainage**

The application proposals would not alter the flood defence barriers which form the eastern and northern boundaries of the wider development site. However, the proposal would increase the level of impermeable surface within the site as a whole. The wider development site, and the various planning permissions for this, require the submission of a surface water drainage strategy to ensure that surface water runoff from the site does not create a flood risk elsewhere. Whist to date, no finalised strategy for this has been approved, the broad principles have been accepted.

The current proposal seeks differing methods for dealing with surface water runoff from the application sites albeit the overall strategy is to be applied across the application sites and wider development site as a whole. To the northern application site, it is proposed for the surface water runoff to be directly discharged into Anglian Water's sewers and the Statutory Undertaker has accepted this. Whereas to the southern site, it is proposed for a new underground storage tank to be installed beneath the car parking court to Block R which would

then discharge through to the existing surface water drainage network, into the linear pond to the east and then out into the Environment Agency drain to the north of the wider development site.

Whilst the Environment Agency has accepted this, and concludes that it would not increase flood risk elsewhere, the City Council's Drainage Engineer has advised that the solution for the northern application site does not represent a Sustainable Drainage System (SuDS). In April 2015, national planning policy was amended through the National Planning Policy Framework to require all new major developments (including more than 10 dwellings) to incorporate SuDS as their method for dealing with surface water drainage. As the current proposal does not meet with this requirement, the current drainage strategy cannot be accepted. However, it is considered that an acceptable solution can be achieved, one which incorporates full SuDS and which does not increase flood risk elsewhere. Accordingly, a condition is required to secure this.

On the basis of the above, the application sites would not be at risk from flooding themselves and would not pose any increased flood risk elsewhere. The proposal is therefore in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

#### **i) Developer contributions**

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

The City Council has an adopted Community Infrastructure Levy (CIL) charging schedule which came into effect on 24 April 2015. The purpose of this levy is to raise funds from developers who are undertaking new building projects, to help pay for the infrastructure that is needed to support it. CIL replaces Section 106 planning obligations for many forms of infrastructure, although these agreements can still be used for site-specific mitigation measures (i.e. off-site highway works) and for open space provision and affordable housing. In this instance, the proposed number of residential flats falls within the policy exemption for CIL and therefore, no infrastructure payment is applicable.

##### ***Affordable Housing***

Under Policy CS8 of the Peterborough Core Strategy DPD (2011), as the application proposal exceeds the policy trigger with regards to affordable housing provision 30% of the units should be affordable. However, the Applicant has previously provided a robust and detailed Viability Assessment which the City Council has accepted. This report adequately demonstrated that there are significant constraints associated with the site which prevent the delivery of policy requirements. As part of the current application, the Applicant has provided further viability information which demonstrates that the additional units proposed would result solely in recouping some of the loss from the wider development site and that no profit will be taken. Therefore, because of the viability issue, no affordable housing is to be provided.

##### ***Public Open Space (POS)***

With regards to the provision of Public Open Space (POS) for the proposed units, the proposal is not currently seeking to provide any additional POS. This is considered acceptable given the Localised Equipped Area of Play (LEAP) that is to be provided within the south-eastern corner of the wider development, the linear area of POS to the southern boundary of the wider development site and the recreation ground which is situated in close proximity on the opposite site of the Frank Perkins Parkway. This is accessed easily by way of an underpass and the application proposal is seeking to provide a footway/cycleway link to this.

#### **j) Other matters**

***Mis-selling of properties*** – Whilst the concerns of residents are noted, information relayed by Selling Agents is not a material planning consideration and therefore cannot be taken into account in determining the current application.

**Failure to secure landscaping of the southern site** – Application reference 12/00981/DISCHG clearly stated that the soft landscaping was only approved for Phases 1B, 2 and 3. The landscaping for the areas of Public Open Space has yet to be approved.

**Foul sewage** – The foul sewage strategy for the wider site has yet to be approved however the Environment Agency has raised no objections to the proposal, provided that a condition requiring details of foul sewage is secured. The concerns of residents are noted and securing this strategy for the entire development site will be prioritised by Officers.

**Crime risk** – The concerns of existing residents with regards to incidents of crime and anti-social behaviour are noted however the Police Architectural Liaison Officer has raised no objections to the proposal as it meets with the requirements of Secured by Design.

## **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 proposed 31 no. residential units would contribute towards the overall growth strategy of the City and would provide additional housing within an allocated residential site, in accordance with Policy CS2 of the Peterborough Core Strategy DPD (2011) and Policy CC8.1 of the Peterborough City Centre DPD (2014);
- whilst the proposal would result in the loss of planned informal public open space, it is considered that there is sufficient provision within the wider development site and nearby. In addition, it is considered that the benefit arising from additional housing provision, on balance, outweighs the slight harm that would result;
- the design and layout of the proposal would not result in any unacceptable impact to the character, appearance or visual amenity of the surrounding area. in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012);
- the proposed site layout makes adequate provision for car parking in accordance with adopted minimum standards and would provide safe access for all highway users, 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 proposed three and four storey blocks would not result in an unacceptable level of harm 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 provide future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012);
- adequate provision has been made to ensure that previous contamination of the site is dealt with and that it is safe for future residential use, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in any unacceptable impact to protected species or the protected Nene Washes SSSI/SPA/Ramsar site, in accordance with paragraph 118 of the National Planning Policy Framework (2012), Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policies PP16 and PP19 of the Peterborough Planning Policies DPD (2012);
- the proposed development would not be at unacceptable risk from and would not increase flood risk elsewhere, in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011); and
- the Applicant has adequately demonstrated that there are significant constraints associated with the site which prevent the delivery of policy requirements in terms of affordable housing.

## **7 Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED**

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 The development hereby permitted shall be carried out in accordance with the following drawings:

- 1683/C/505 'Location Plan'
- 1683:P.501 Revision E 'Site Layout Plan'
- 1683:P.210 Revision A 'Flat Block N Floor Plans'
- 1683:P.511 Revision B 'Flat Block N Elevations'
- 1683:P.512 'Flat Blocks P and R Type 2BF-12'
- 1683/C/518 Revision A 'Cycle / Refuse Store Details'

Reason: For the avoidance of doubt.

- C 3 No development other than groundworks and foundations shall take place until details of the following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling;
- Roofing;
- Windows and doors;
- Balconies;
- Rainwater goods; and
- Vents, flues and soil pipes.

The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. All windows and doors shall be set back at least 50mm behind the masonry of the elevations to the flats hereby permitted.

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 4 No development (including site clearance) shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- Hours of working;
- Haul routes to and from the site;
- Materials storage;
- Contractor parking;
- Areas for the parking, turning, loading and unloading of all construction vehicles visiting the site;
- Welfare facilities;
- Wheel cleansing equipment which all construction vehicles visiting the site shall pass through before entering the adopted public highway; and
- Measures to prevent and control dust emanating from the site.

The development shall not be carried out except in accordance with the approved details.

Reason: In the interests of highway safety and to protect the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012). The condition is required prior to commencement as the Local Planning Authority needs to be content that all stages of construction protect neighbour amenity and highway safety.

C 5 Notwithstanding the submitted information and prior to the commencement of Blocks P and R hereby permitted, full details of the following elements of the proposed adoptable public highways shall be submitted to and approved in writing by the Local Planning Authority:

- Levels, form and construction (including surfacing materials and those areas to be block paved);
- Piped surface water drainage;
- Street lighting; and
- Signing/lining.

The proposed adoptable public highways shall be constructed in accordance with the approved details and no dwelling in Blocks P and R shall be occupied until the highway(s) linking that dwelling to the existing public highway network at Potters Way have been completed to at least base course level in the case of bituminous surfacing or final wearing course in respect of block paved highways.

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 6 Notwithstanding the submitted information and before vehicular accesses are brought in to use, vehicle-to-vehicle visibility splays measuring 2.4 metres (along the centre line) x 33 metres (along the channel line) shall be provided at either side of all shared vehicular accesses with the adopted/proposed adoptable public highway. (N.B. The channel line comprises the edge of the carriageway or the line of the face of the kerbs on the side of the highway nearest the new access). These visibility splays shall be kept clear 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 7 Notwithstanding the submitted information and before vehicular accesses are brought in to use, vehicle-to-pedestrian visibility splays measuring 2 metres x 2 metres, shall be provided at either side of the accesses (measured from and along the back edge of the adopted/proposed adoptable public highway). These visibility splays shall be kept clear 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 8 Prior to first occupation of each residential unit hereby approved, parking spaces relating to each unit shall be provided in accordance with drawing number 1683:P.501 Revision E 'Site Layout Plan' and shall be drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Prior to first use of each parking space, they shall be clearly delineated and numbered in accordance with the letter from Ian Mitchell dated 25 May 2012 and email from Ian Mitchell

dated 31 May 2012. Those parking spaces shall thereafter remain solely for the parking of vehicles of occupiers/visitors of the units to which they are allocated.

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 9 Prior to first occupation of any residential unit within Block P and R hereby permitted, the proposed adoptable footway/cycleway link to the subway beneath the Frank Perkins Parkway shall be provided and in operation, in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To provide the pedestrian linkages from the site to the City Centre at the earliest and safest opportunity, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

- C10 Notwithstanding the submitted information and prior to first occupation of any residential unit hereby permitted, a scheme detailing lighting to parking areas which will not form part of the adoptable public highway shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided in accordance with the approved details and prior to first use of the parking area to which it relates.

Reason: In the interests of the security of the development, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C11 The cycle parking provision shown on drawing number 1683:P.501 Revision E 'Site Layout Plan' and 1683/C/518 Revision A 'Cycle/Refuse Store Details' shall be provided prior to first occupation of the residential unit to which it relates. Thereafter, the cycle parking shall be retained solely for the parking of cycles in connection with the residential units to which it relates.

Reason: In order to promote more sustainable methods of transport, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP13 of the Peterborough Planning Policies DPD (2012).

- C12 Notwithstanding the submitted details and approved drawing number 1683/C/518 Revision A 'Cycle/Refuse Store Details' details of refuse, recycling and food waste storage and collection points to serve each residential flat block shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any residential unit. The refuse, recycling and food waste storage/collection points shall be provided in accordance with the approved details and prior to first occupation of the residential unit to which they relate.

Reason: In the interests of the amenity of future occupants, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

- C13 The development hereby approved shall be carried out in accordance with the contamination remediation details contained in the following documents:

- Fengate Sewage Works Remediation Strategy (reference 1001979/OR/1D dated May 2004);
- Contract Completion Report (reference 760ALL/01 dated 20 December 2007);
- Addendum to Remediation Strategy Version 1D (reference 220718/GEE/01 dated June 2005);
- Letter reference JHP/IA/TB/303287 from Mott MacDonald dated 15 May 2012; and

- Outline Specification for Ground Gas Monitoring (reference 303287/EVT/HYES/003/B dated May 2012).

Upon completion of all remediation works, a detailed verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the no risk to human health or pollution of controlled waters will result, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C14 If during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted to and had approved in writing by the Local Planning Authority an addendum to the contamination remediation strategy secured by condition 15 above. Development shall be carried out in accordance with the approved addendum.

Reason: To ensure that the no risk to human health or pollution of controlled waters will result, in accordance with paragraph 121 of the National Planning Policy Framework (2012) and Policy PP20 of the Peterborough Planning Policies DPD (2012).

- C15 Prior to first occupation of any residential unit hereby permitted, details of the noise mitigation measures specified within the submitted 'Planning Noise Assessment Proposed Residential Development Plots 464-492, Fengate, Peterborough' (reference JW1004/14316 dated June 2015) shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be carried out as approved and prior to first occupation of the residential unit to which they relate.

Reason: To ensure an adequate level of amenity for future occupants, in accordance with Policy PP3 of the Peterborough Planning Policies DPD (2012).

- C16 No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details hereby approved. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- C17 Notwithstanding the details submitted and prior to the commencement of development, a detailed scheme for the implementation, maintenance and management of a sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include:

- a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b) Any works required offsite to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for its implementation,

- e) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and
- f) Information to demonstrate that it meets the government's national standards.

The scheme shall be implemented as approved prior to the commencement of development and managed/maintained in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with paragraph 100 of the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

C18 No development shall take place 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;
- Details of any boundary treatment; and
- Surfacing materials to all private parking and pedestrian areas.

The hard landscaping scheme (boundary treatments and surfacing materials) shall be carried out in accordance with the approved details and prior to first occupation of the residential unit to which it relates. The soft landscaping shall be carried out in accordance with the approved details and no later than the first available planting season following first occupation of the residential unit to which it relates.

Any trees, shrubs or hedges forming part of the approved landscaping scheme 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 visual amenity and then 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).

C19 Development shall be carried out in accordance with the measures specified in the submitted Bioscan report 'Submission in Respect of Condition 38' (reference E0934aR8 dated June 2012) to manage recreation pressure and cat predation on the Nene Washes SPA.

Reason: In order to protect features of nature conservation importance, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011).

C20 Prior to the commencement of development, details of fire hydrant provision to serve the needs of the development 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 hydrants shall be provided prior to first occupation of the residential units which they serve.

Reason: In the interests of ensuring the safety of future occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

- C21 Upon first occupation of each residential unit hereby approved, occupiers shall be provided with a Home Travel Information Pack in accordance with details submitted to and approved in writing by the Local Planning Authority. The packs shall include information relating to local footpath locations, bus timetables, cycleways and local shopping provision.

Reason: In order to promote more sustainable methods of travel, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

- C22 Notwithstanding the details shown on drawing number 1683:P.511 Revision B 'Flat Block N Elevations' and prior to first occupation of the residential unit to which they relate, the windows to the southern elevation shall be obscurely glazed to a minimum of Level 3 obscuration and non-opening unless the opening parts are more than 1.7 metres above the floor level to the room that they serve. Thereafter, those windows shall be retained as such in perpetuity.

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

Copies to Councillors: N Shabbir, J Johnson, A Iqbal

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