

09/00464/REM: RESIDENTIAL DEVELOPMENT CONSISTING OF 41 DWELLINGS WITH ASSOCIATED ROADS AND SEWERS AT LAND TO THE WEST OF UFFINGTON ROAD, BARNACK, STAMFORD

VALID: 18TH JUNE 2009

APPLICANT: DAVID WILSON HOMES SOUTH MIDLANDS

AGENT: MR MARTIN CZERNIUK, THE URBAN DESIGN COMPANY LTD

REFERRED BY: BARNACK PARISH COUNCIL

REASON: INAPPROPRIATE DEVELOPMENT NOT IN KEEPING WITH SURROUNDING CHARACTER, NOT ENOUGH 3 BED PROPERTIES, DENSITY TOO HIGH, DESIGN DOES NOT ACCORD WITH VILLAGE DESIGN STATEMENT

DEPARTURE: NO

CASE OFFICER: MRS JANET MACLENNAN

TELEPHONE: 01733 454438

E-MAIL: janet.maclennan@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Whether the proposal is in keeping with the surrounding character and will enhance the character and appearance of the Conservation Area
- Whether the proposal will result in any adverse impact on neighbouring amenity
- Whether the proposal will result in any adverse highway implications
- Whether the proposal provides for the mitigation of impact on protected species

The Head of Planning Services recommends that the application is APPROVED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Key policies highlighted below.

The Peterborough Local Plan (First Replacement)

Relevant Planning Policy – Adopted Peterborough Local Plan (First Replacement)

- CBE3: Development affecting conservation areas** - Proposals for development which would affect a Conservation Area will be required to preserve or enhance the character and appearance of that area.
- DA1: Townscape and Urban Design** - Seeks development that is compatible with or improves its surroundings, creates or reinforces a sense of place and would not have an adverse visual impact.
- DA2: The effect of a development on the amenities and character of an area** - Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.

- DA11: Design for security** - Planning permission will not be granted for a development unless vulnerability to crime has been satisfactorily addressed in the design, location and layout of the proposal.
- H10: Limited rural growth settlements** - The villages of Ailsworth, Barnack, Castor, Glinton, Helpston, Newborough, Thorney and Wittering are designated as limited rural growth settlements where small estates, housing groups and infill will be permitted.
- H15: Residential Density** - Seeks the Highest residential density compatible with the character of an area, the living conditions of local residents, that is of good standard of design and that provides open space.
- H16: Residential design and amenity** - Seeks residential development if the following amenities are provided to a satisfactory standard; daylight and natural sunlight, privacy in habitable rooms, noise attenuation and a convenient area of private garden or amenity space.
- H20: Range of Accommodation to meet housing need** – The City Council will seek to secure a variety of both size and type of accommodation
- H21: Affordable Housing** - Seeks to secure 30% affordable housing provision for urban sites of more than 25 dwellings or 1 hectare; and village sites of 15 dwellings or 0.5 hectares.
- H23: Lifetime homes and wheelchair housing** - Seeks to secure a supply of housing to lifetime home standards and housing suitable for wheelchair users.
- IMP1: Securing satisfactory development** - Planning permission will not be granted for any development unless provision is secured for all additional infrastructure, services, community facilities, and environmental protection measures, which are necessary as a direct consequence of the development.
- LNE6: Buffer zones for development bordering the countryside** -Seeks a buffer zone of adequate size and appropriate landscape treatment for developments bordering the countryside.
- LNE9: Landscaping implications of development proposals** - Seeks retention and protection of trees and other natural features that make a positive contribution to an area; and adequate provision of landscaping of sites.
- LNE10: Detailed elements of landscaping schemes** - Seeks provision of a landscaping scheme suitable for the development, which should include where appropriate, the retention of landscape or ecological features, suitable new planting, protection and management of scheme, provision for natural ecological regeneration and the completion of planting by first occupation or development completion, whichever is sooner.
- T1: Transport implications of new development** - Seeks development that would provide safe and convenient access to site and would not result in an adverse impact on the public highway.
- T8: Connection to the existing Highway network** - Seeks development where vehicular access is on to a highway whose design and function is appropriate for the level and type of vehicular traffic likely to be generated.
- T10: Car and motorcycle parking requirements** - Planning permission will only be granted for development outside the city centre if it is in accordance with approved parking standards.
- U2: Sustainable surface water drainage** - Permission will only be granted for developments that discharge to watercourses if the proposals would not increase the risk of flooding and provision has been made to secure any necessary improvements and maintenance, protect amenity, nature and the public.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

Central Government Guidance

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development

Planning Policy Statement 3 (PPS3) Housing

Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation

Council Approved Guidance

- Trees and Woodland Strategy
- Residential Design Guide
- Biodiversity Strategy

There is relevant guidance within the Barnack and Pilsgate Village Design Statement (VDS) 2001.

3 DESCRIPTION OF PROPOSAL

The application seeks Reserved Matters approval for the erection of 41 dwellings, including 12 affordable dwellings. Access to the site was approved under the outline application (06/01275/R4OUT) with all detailed matters including siting, design, external appearance and landscaping reserved. The properties are primarily two storey in height (max 8.5m to ridge), with 8 properties two and a half storey (9.1m to ridge), detached and linked detached and comprise 10 x 2-bed, 5 x 3-bed, 17 x 4-bed and 9 x 5-bed dwellings. The proposal includes a comprehensive landscaping scheme including a Wildlife Corridor to the north, west and southern boundaries of the site.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is located on the northern approach to the village on the western side of Uffington Road. It is rectangular in shape approximately 1.4ha with a 175m frontage. The site is an allocated site for housing development (H10.02) within the Adopted Peterborough Local Plan (First Replacement). The site is bounded to the north and west by agricultural land and to the east and south by residential development and lies approximately 40m to the north of the Conservation Area boundary. The site contains a number of trees to the frontage which are subject to Tree Preservation Orders and a variety of planting comprising young trees and hedges within the site. There is an existing crescent shaped lay-by off Uffington Road within the site boundary which contains Norway Maple trees which are protected by a TPO. There is a single point access to the site off Uffington Road.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
02/00117/OUT	Outline application for residential development: 72 dwellings	10.02.2003	REF
06/01275/R4OUT	Residential development with associated access, parking and external works	11.01.2008	PER

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – The proposal has a highly engineered layout with no variation in building line. Design of roads do not restrict vehicle speed, however, length of road and visitor parking will provide restriction. Visibility splays to be provided on all dwellings. Temporary construction access is not supported. Minor amendments sought and conditions recommended.

Environmental Health – No comments have been received at the time of writing this report. Comments will be provided as a update to Committee.

Archaeological Officer –The site falls within an area of archaeological interest close to the historic core of Barnack. Remains associated with the development of the village are expected to survive on the west portion of the site, which has remained free of previous development. Previous housing development on the road frontage (east side) of the site is likely to have destroyed archaeological remains in this area. Suitable PPG16 condition should be appended.

EXTERNAL

Natural England - No objection in principle. However, concern regarding the proposed size of the Hibernacula and the 2m buffer as a wildlife habitat which is considered to be insufficient as a habitat and potential food source for wildlife and should be increased in size. Little consideration given to the impact on the Hills and Holes SSSI, NNR, SAC as the development will have an approximate 10% increase in population and subsequent increase and pressure on the Hills and Holes. Further details should be submitted by the developer. The presence of species should be reviewed particularly prior to development, contractors to be made aware of protected species, inappropriate lighting should be minimised.

Senior Architectural Liaison Officer (Peterborough Constabulary) – The principle layout is acceptable in terms of crime prevention. Most homes have an acceptable level of natural surveillance. Southern boundary should be 1.8m fence, north and west boundaries in view of low incidents of crime hard to justify use of high boundary fencing. Should be fitted with door and windows to 'secure by design' standards. Affordable housing in particular will require lighting to homes and parking areas. Requests to be consulted on lighting proposals.

Anglian Water – Has advised the applicant is required to make a request under the Water Industry Act for provision of water and wastewater infrastructure.

Welland and Deeping Internal Drainage Board – Has not objections to the proposal. The applicant has indicated that the run off will be dealt with by means of underground attenuation tanks and soakaways ensuring that discharge will be no greater than at present.

Fire Community Risk Management Group - Hydrants required by S106 or Condition

NEIGHBOURS

Letters of objection have been received from 22 local residents raising the following issues:

- One bed properties not required, too many 4/5 bed properties, more 3 beds needed
- Occupiers will send their children to private school instead of the village school
- Parking and garage space insufficient
- Increase in volume of traffic, highway improvements and traffic calming needed
- One entrance to the site insufficient
- Out of keeping with village character
- Too dense
- All sides should have stone facing
- Land to south could include public open space
- Separation distance to properties in Linden Close insufficient
- Traffic surveys along Uffington Road not properly executed
- Affordable housing should be distributed throughout site
- Loss of tree
- More green space needed
- Part of the layby should be kept for parking
- Height of dwellings too high
- Single entrance/exit point and crescent should be retained
- Will dominate properties on opposite side of Uffington Road
- Object to use of red brick
- Bradstone tile should be used
- Properties to west should be stone and Bradstone as visible from Bainton Road

- Hedges to north and west should be retained for wildlife
- Block paving unsuitable
- Boundary wall fronting Uffington Road should be removed
- Concern re quality of life
- Needs of existing villagers not considered
- Gardens too small
- Should be play area on site

COUNCILLORS

Cllr Over – Supports representations made by Barnack Parish Council. The development will be an integral part of the village and should follow the Village Design Statement. Would oppose any indication that this an 'off the shelf' package suitable for suburban development. The current proposals have too many two and half storey houses. There is not the range or correct ratio of different types houses for the village. Concerned about encouraging young families to stay in the village and suggest more 3-bed dwellings. Opposes any attempt to have zones of different type houses on the new development. Stone and an appropriate tile should be used where possible. I would be pleased to support a wide wildlife corridor. Gardens are too small and play areas should be provided. The driveways must be large enough to park at least two cars, roads wide enough to allow emergency vehicles access when cars are parked along the side the road and extra parking for visitors, etc. Measures will also have to be taken with the traffic flow and speed on Uffington Rd.

Parish Council

The development comprises expensive housing not accessible to villagers. Development has too many two and a half storey dwellings with five bedrooms. More 3 bed properties needed. Density too high, gardens too small. All houses should have chimneys. A mixture of roof heights and styles should be included. Affordable housing should be mixed into development. Rear of houses (north and west) should be stone faced. Real stone should be used which is environmentally friendly. The variety of materials should be limited, Bradstone slates should be used. Wildlife corridors to north and west should be wider. The density of the site will have highway implications. Traffic calming is required. Site entrance is very narrow. Off-site parking should be provided to replace lay-by. Brick walls and continuous frontage along Uffington Road is out of keeping with village. Road surfaces should be tarmac with granite chippings rolled into the sprayed tarmac and Marshall Tegula paving would be out of character in Barnack. The paths should match the road surfaces as they do throughout the village. The temporary construction access will require provision to be made for safety of pedestrians and residents.

7 REASONING

a) Introduction

Outline planning permission was granted in January 2008 for residential development (ref. 06/01275/R4OUT). Access was approved with all other matters reserved. The site was once occupied by pre-war temporary 'Airey' Houses. The application follows on from extensive consultation with the Local Planning Authority and details are provided within the Design and Access Statement. The site presents a number of constraints and challenges including protected trees, ecological issues, its alignment with the open countryside, proximity to the Barnack Conservation Area and is at the entrance to one Peterborough's most attractive and historic settlements. The applicant has undertaken an exercise of Community Involvement and an exhibition was held in March 2008.

b) The principle of development

Outline planning permission granted in January 2008 established the principle of development to be acceptable.

c) Impact on surrounding character

The site area is 1.4 ha which includes the grassed crescent shape of land to the front of the site the development will provide a density of approximately 30 dwellings per hectare. There has been objection to the level of density proposed for the development, however, Policy H15 requires net densities for new development in the range of between 30 to 50 dwellings per hectare in order to make full and effective

use of land for residential development in sustainable locations and advises that densities below 30 dwellings per hectare should be avoided. This advice is also contained within PPS3. The proposed density is consistent with policy advice and although the density is higher than the existing development along Uffington Road it is not considered to be harmful to the surrounding character. The proposal accords with policy H15 and H10.02 of the Adopted Peterborough Local Plan (First Replacement).

There has been significant consultation with the Local Planning Authority with the aim of achieving a development which achieves a 'sense of place' and provides an attractive edge to the village approaching from the north whilst being sensitive to longer views of the site from Bainton Road. The existing crescent has been retained and worked into the development which reflects the crescent shaped building line of development on the east side of Uffington Road along with the treed island to the front of the site. The proposal provides a variation in roof heights and a continuous and varied frontage to Uffington Road formed by single storey buildings and walls to reflect the grain and character of the traditional village settlement. However, additional height variations have been sought and this can be achieved through a lower roof pitch to two plots along the Uffington Road frontage. Objection has been raised by the Parish Council to the continuous frontage which is considered to close off the development from the village. The continuous frontage to Uffington Road is a detail that has been requested by both Planners and the Urban Designer to help capture the 'linked' development – often by boundary walls – found within the village core and is supported. The subservience of stone faced garage walls with pantile roofs to the dwellings and an irregular building line is considered the design approach to help reflect local built character and appearance.

There are 8 two and a half storey properties within the development and there has been a number of objections to the height and scale of these properties as it is argued that they will dominate the street scene and properties to the eastern side of Uffington Road. However, the majority of the dwellings are two storey (8.5m to ridge) and the two and a half storey properties vary in height by 0.6m (9.1m). The buildings are strategically located within the development and include plots 4 and 36 which define the entrance gateway to the site, focal points at the commencement of the development (plots 1, 27, 30). Plots 20 and 21 are more typical two and a half storey buildings by having traditional dormers and the buildings provide a strong focal point (end stop) and vista viewed from the entrance to the site and is considered appropriate for the development. The increase in height by 0.6m will merely provide living accommodation within the roof while at the same time provide focal point buildings. These focal point buildings are consistent with pre-application advice and follow the principles of good design. It is considered that this development will have its own identity and it is not the intention to make reference to the development on the opposite side of Uffington Road but to reflect the village character through continuous building line, stone materials and provide an attractive development on the northern approach to the village. Building height to the east side of Uffington Road is approx. 7.3m. This is partly explained by these buildings being built to post war 'Parker Morris' yardstick standards. The separation distance between existing and proposed properties, for the majority of properties, is between 30-45 metres. Plots 30, 31 and 32 are some 20m from properties opposite. It is considered that this is sufficient distance to avoid the over dominance of the four buildings to the frontage at 9.1m high to the properties to the east side of Uffington Road. The proposal will enhance the character and appearance of the surrounding area and Conservation area and accords with policies CBE3, DA1 and DA2, of the Adopted Peterborough Local Plan (First Replacement).

d) Design and Visual Amenity

The proposed design has taken into consideration many of the architectural features of the traditional village setting. The fenestration detail to plots fronting Uffington Road makes reference to styles within the village, for example, single light and saddle bar style. Following consultation from the Conservation Officer amendments have been made to the fenestration of properties fronting Uffington Road as there was an over reliance on multi paned windows to provide window designs more typically found in the village setting. Windows to the rear of the dwellings differ from those on the frontage and this has been raised by the Parish Council. However, while it would be desirable to have a consistent window style to the front and back of properties the rear of properties are not directly visible and therefore it is unreasonable to insist on this.

The Parish Council suggest that all of the properties should have a chimney. Out of the 41 dwellings, 12 are proposed without chimneys. However, all properties visible from key external vantage points have chimneys. The absence of chimneys to plots 6-8 and 11-19 (affordable properties) is a reflection of

building cost and level of internal facilities. The ridge height of those without chimneys is approx. 7.7m. Viewed from Bainton Road these properties will be less visible due to the fall of the land to the south east, in relation to the generally 8.5m high buildings to the north. The absence of chimneys to these plots is not considered to compromise the overall character and appearance of the development.

All properties fronting Uffington Road are to be stone faced along with focal point buildings to plots 20, 21 and 27. Buildings to the western edge of the site are visible by pedestrians from Bainton Road some 300-400m away. It is considered that given this viewing distance stone facing to these elevations is not justified. At this distance there will not be any obvious visual difference between a stone faced or brick faced elevation, provided a complementary brick is used. A good quality brick of stone colour will be indistinguishable from a stone appearance. It is considered that the 'Bradstone Rebastone, Rustic Costwold' stone is a suitable material for the stone faced properties and a complementary buff (stone coloured) brick will be agreed for the other elevations to these properties. It is proposed that all subservient building roofs (garage roofs) will be single roll clay pantile. All external facing plots i.e. Uffington Road, north and west up to and including plot 20 will be Bradstone Conservation Slate (replica Collyweston slate). All remaining properties are to be either Marley or Sandtoft (with matching garage roofs). Again, plots 11-20 along the western boundary (to have pantile) have a lower visual profile viewed from Bainton Road. It has been proposed that all elevations should be stone, however the character to Uffington Road will be shaped by the overwhelming use of stone facing and Bradstone slate and the side returns are subsidiary. However, amendments are being sought to the elevations of properties to the north of the site where the northern elevations will be clearly visible on approach to the village and should be stone faced. The Parish Council argue that locally sourced natural stone should be used. However, the cost of natural stone is significantly higher than the manufactured alternative. Materials are a significant part of a developers cost and it is likely that to refuse the application on materials would not be upheld at appeal. It is considered that the development will improve the appearance of the immediate setting, enhance the character of the Conservation Area and complement the inherent village character and accords with policies CBE3, DA1 and DA2 of the Adopted Peterborough Local Plan (First Replacement).

The access road is to be a shared surface and will be adopted by the Local Highway Authority (LHA). As a shared surface the LHA will require the road surface to have a different appearance from normal highway for pedestrian safety. They have a preference for small unit paving such as Marshalls Tegula paving. A standard road finish is not provided where the road is a shared surface. Discussions are taking place with the developer to identify a suitable surface material which does not convey a feel of suburban block paving.

e) Residential Amenity

The proposed layout and separation distance to neighbouring properties surrounding the development is acceptable. As mentioned above the minimum separation distance to properties on the eastern side of Uffington Road is approximately 20m. Objections have been received from a neighbouring site in Linden Close to the south of the development and the number of rear facing windows which will result in loss of privacy. However, there is at least a 35m separation distance to this property and therefore the development does not present any issues for overlooking. The proposal provides private rear amenity space for the future occupiers of the dwellings which accord with the guidelines within the Peterborough Residential Design Guide. The layout of the dwellings will avoid overlooking to neighbouring plots. The proposal accords with policies DA2 and H16 of the Adopted Peterborough Local Plan (First Replacement).

The proposed layout has been considered by the Architectural Liaison Officer and the development allows for an acceptable level of natural surveillance and crime prevention. While it is ideal for the rear boundaries of properties to the north and west to comprise a 1.8m high fence this would be harmful to the countryside setting and considering the low incidents of crime hard to justify use of high boundary fencing. A 1.8m close boarded boundary fence is suggested, however, it is considered that a post and rail fence will be sufficient as there will be a planting scheme along this boundary. No details of lighting have been submitted and this shall be appended as a condition. The proposal accords with policy DA11 of the Adopted Peterborough Local Plan (First Replacement).

f) Range of Accommodation to meet housing need

The Parish Council and local residents object to the number of 4 and 5 bed properties within the development and argue that this does not reflect the views of local residents following public consultation and as indicated in the Design and Access Statement. These comments have been provided to the application and as a result 4 no. x 4 bed properties have been replaced by 4 no. x 3 bed properties (plots 34, 38, 39 and 41). One of the affordable units also provides a 3 bed property. The developer is unwilling to substitute more 3 bedroom properties. Although more 3 bed properties are requested by the Parish Council it is considered there is now a reasonable provision of 3 bedroom properties. It is considered that the number of 4 / 5 bed properties is not justified as a reason for refusal. It is acknowledged that there is a need for affordable housing to enable families to upgrade to larger properties and conversely for villagers to downsize and to enhance the sustainability of the village. However, there is no reason to suggest that this will be compromised by the size of dwellings as proposed. Indeed, it is highly likely, given that the majority of the proposed dwellings are family-sized houses, that the properties will be occupied by families who in all likelihood will make a positive contribution to the services of the village.

Planning has sought to achieve a balance of tenure available to the local community either via affordable rented or open market purchase. 30% of the dwellings are to be provided on an affordable basis. The cost of open market housing is not under the control of the planning process. Planning can influence the range of housing size but cannot dictate a specific provision of properties. To require that the majority of dwellings are three bedroom would make the development economically unviable, and no development would take place. The developer is, as the Parish recognise, seeking to obtain a return on their investment.

There is also objection to the two bedroom flat (plot 14). However, it is considered that the development provides for a range of accommodation needs. A two bedroom flat can meet a wide range of changing personal needs often on a temporary short / medium term basis. The Strategic Housing Section was consulted earlier this year on a pre-application layout for the required range of affordable housing provision. Part of this advice identified that 'the Census data from 2001 shows less than 2% of the stock in the ward is flats. Housing needs data taken from a review of the Peterborough Housing Register in October 2008 indicates that of the 9000 applicants on the register 3546 expressed a preference to live in Barnack and of these 2992 required a 1 or 2 bed property. In addition, the Peterborough Strategic Housing Market Assessment indicated that across Peterborough a suitable profile of new affordable housing units would be 34% 1 bed units and 33% 2 bed units. There is no justification to refuse this type of tenure as part of the overall affordable housing provision. The proposal accords with policies H20 and H24 of the Adopted Peterborough Local Plan (First Replacement).

The applicant has confirmed that all affordable housing shall be built in accordance with Lifetime homes standards. Hence the application conforms with policy H23 of the Adopted Peterborough Local Plan (First Replacement).

g) Affordable Housing

The Strategic Housing Section has been consulted on the proposed housing mix and has requested an additional 3 bed and 4 bed property. However, at pre-application stage, albeit on a different layout the provision of 1no 3 bed and 1no 4 bed was considered acceptable. It is considered to be unreasonable to insist on the additional 3 and 4 bed units at this stage of the application which will require additional provision for amenity space and additional car parking provision and which will compromise the layout of the scheme. Parish Council seek an integration of housing type and tenure throughout the site but this would present management issues for who ever becomes responsible for these properties and it is unreasonable to impose this requirement. The location of the affordable properties will not diminish the wider objective of building inclusive communities.

h) Highway implications

The site is served by one access point to the east of the site off Uffington Road which was agreed at outline stage. Concern has been raised by the Parish Council and local residents regarding the likely increase in traffic and resulting highway implications and that traffic calming measures should be implemented as part of the development. This issue was assessed at outline stage and it was the view of the Head of Transport and Engineering that there would only be a marginal increase in existing traffic movements which would not necessitate any additional traffic calming measures. The proposed

Temporary Construction Access as shown on plan ref. SL-CONST.ACCESS is not supported due to unacceptable vehicle-to-vehicle and vehicle-to-pedestrian visibility splays. The details of the temporary access will be dealt with by condition. The scheme has been revised to address issues of parking, visibility splays, tracking of PCC refuse vehicles and collection points. The layout of the access road could have been improved to include narrowed areas which would serve to restrict vehicular speeds however, it is considered that the short lengths of road and the provision of areas for informal on street parking will reduce the ability to speed. It is unfortunate that the provision of bin storage areas for collection days shown on the plan SL1 rev F now inhibit visibility splays. Additional minor amendments will be sought or otherwise dealt with by condition. Overall, the scheme provides adequate parking in accordance with the maximum standards within the development plan and a safe and convenient access and therefore accords with policy T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

i) Landscaping Implications

The western and northern boundaries adjoin the open countryside and in order to satisfactorily assimilate the development into the open countryside a 2 metre wide Conservation/Wildlife Corridor is provided to these boundaries which will comprise a continuous hedge with the addition of native trees. A wildlife corridor is also proposed for the southern boundary. The boundary treatment to properties adjacent to the countryside will have a post and rail fence which will avoid a hard boundary treatment and harm to the countryside setting. The Landscape Officer supports the proposed landscaping details. The Parish Council have raised the issue of the loss of so many trees to the Uffington Road frontage, however, the trees to be removed are not considered to have conservation status. Replacement planting is proposed and the applicant will be requested to add an extra tree to this frontage, overall providing 4 replacement trees. It is regrettable that so many trees will be lost however; it is inevitable that there will be some loss of tree cover in order to accommodate the development. It is considered that the proposed landscaping scheme is acceptable and accords with policies LNE6, LNE9 and LNE10 of the Adopted Peterborough Local Plan (First Replacement).

j) Ecological implications

The ecology of the site was considered under the outline application and an Ecological and Reptile Survey were submitted as part of that application. A condition was appended to the outline consent which required the developer to submit a scheme of measures to mitigate the impacts to protected species prior to commencement of development. The Common Lizard is known to be present on the site and it is considered appropriate that the mitigation measures should influence the layout of the development. Indeed, advice was provided by the Local Planning Authority in March 2009 when commenting on a revised layout that it had not been demonstrated that the layout could deliver the ecological mitigation required. The applicant was advised to involve an ecological consultant in the design process and that the relevant habitat features should be clearly indicated.

An ecological appraisal has been submitted to inform this planning application. The appraisal concluded that the botanical interest within the site is limited and although the potential habitat for reptiles was recorded on site and further surveys are not necessary. It was considered sufficient for passive displacement to be undertaken prior to works commencing and suggestions made on how this should be achieved. Furthermore to enhance the habitats suitable for supporting a population of common lizards on site after development an area of less intensively managed grassland and hibernacula should be created, if possible with a south facing aspect. A strip of Tussocky grassland adjacent to the hedgerow particular in the south eastern corner of the site would allow lizards to move from the site.

The scheme includes a 2m wide buffer zone incorporating trees and hedges to the western and northern boundaries of the site. It is proposed to supplement planting to maintain and enhance the ecological biodiversity within the site and an additional wildlife corridor is proposed to the southern boundary. A hibernacula is to be provided to the north western corner of the site, an area measuring approximately 28m² which is to provide a habitat for lizards that exist within the site.

The Wildlife Officer has been consulted on the proposal and considers there is insufficient provision in the proposed layout to allow for the mitigation of ecological impacts, and in particular, upon the existing population of common lizard which is present and does not reflect the most recent ecological appraisal supplied with the application. An outline of possible mitigation is given in the most recent ecological appraisal this should be further developed and reflected in the site layout and design. Additional

information has been provided in support of the application in the form of a letter from FPCR (Ecologist) indicating the provision to 3 native hedgerows around the boundary of the site and the 2m wide wildlife corridor mentioned above. The grassland corridor is to be managed to create a mosaic of vegetative structure including tussocky grass and, hard ground for basking and scrub. The Wildlife Officer's objection to the ecological considerations remains extant and the provision for the common lizard remains inadequate. This is also the view of Natural England. The maintenance of the 2m strip is likely to be problematic in terms of physical access and management and the proposed area for the hibernacula not proportionate to the site area which is all currently suitable for common lizard. The proposal therefore makes inadequate provision for the mitigation of ecological impacts therefore the proposal as it stands is contrary to policy LNE19 of the Adopted Peterborough Local Plan (First Replacement). The Local authority has a legal duty under S40 of the Natural Environment and Rural Communities Act for the protection of these species. At the time of writing this report this matter remains unresolved.

Natural England is concerned regarding the additional pressure likely to be imposed by the development on the nearby Hills and Holes which is an SSSI, SAC and NNR. The development will increase the population of Barnack by 10% which may result in the ecological interests of this site being compromised by open access. Natural England has requested that the developer submit further detail of its assessment of potential impacts. Correspondence has taken place between the developer and Natural England and at the time of writing this report no further comments from Natural England have been received and will be provided as an update to this report. However, it is considered that the development is unlikely to pose a significant threat to the ecological interests of this site.

k) Building for Life

The scheme has been considered by the Urban Design Officer who has assessed the scheme under Building for Life criteria. This is the national standard for well-designed homes and neighbourhoods. It is led by CABI and backed by the Housing Corporation, Homes and Communities Agency, Design for Homes and the Civic Trust. Housing schemes achieved the Building for Life standard if they fulfil at least 14 out of the 20 Building for Life criteria, which embody functional, attractive and sustainable housing. These principles are founded on government policy and on guidance developed by CABI in partnership with Design for Homes. The proposed scheme achieves 15 points and has achieved the Building for Life standard.

l) Miscellaneous

Archaeological implications

The site falls within an area of archaeological interest close to the historic core of Barnack. An archaeological desk based assessment has been undertaken and submitted in support of the application. A standard PPG16 condition was appended to the outline consent (06/01275/R4OUT)

Floodrisk and Drainage

A flood risk assessment has been undertaken and has been submitted in support of this application. It concluded that this was a brownfield site and suitable for redevelopment and there are no flood risk management issues which will be adversely affected if the redevelopment proceeds. The nature of the sub soil is suitable for the use of soakaways and should facilitate the use of SUDS techniques. The redevelopment of the site should not increase the risk of flooding to adjacent land. A condition was appended to the outline consent for details of foul and surface water drainage facilities to be submitted and approved in writing by the Local Planning Authority. It is proposed that underground storage tanks will be used to attenuate drainage and by using adoptable soakaways, there will be no increase in surface water run off. The Welland and Deepings Internal Drainage Board have no objections to the proposal.

Contamination

The site has been previously developed and therefore there is potential for ground contamination. A condition was appended to the outline consent and will ensure that appropriate investigation and mitigation is undertaken. A site investigation report (February 2008) has been submitted as part of this application. At the time of writing this report no comments have been received from Environmental Health or the Environment Agency.

Site in vicinity of Hazardous Installation

The proposed development is within the Consultation Distance of a major hazard pipeline. The Health and Safety Executive has been consulted and do not advise against development.

Infrastructural requirement

The outline planning consent (06/01275/R4OUT) was subject to a legal agreement to provide: 30% affordable housing (50/50 rent and shared ownership), a financial contribution towards off-site public open space which will include a contribution towards a new cricket pavilion; contributions towards libraries, cemeteries, waste and recycling, public transport, education, local highway improvements, provision of footpaths/cycleways within the site; and a travel plan.

8 CONCLUSIONS

This is a Brownfield Site within a sustainable location which can adequately accommodate the development of 41 dwellings without compromising the surrounding character or residential amenity of the occupiers of surrounding properties. The height, design and scale of development will complement this part of Uffington Road and enhance the character of the Conservation Area. Notwithstanding the benefits of the proposal, at the time of writing this report it remains to be demonstrated that appropriate measures to mitigate for impacts to protected species, known to be present on the site, can be achieved. The applicant is negotiating with the Council's Wildlife Team to resolve this issue and it is anticipated that the matter will be resolved prior to Committee.

This information will be provided to Members in an update report to Committee. On the basis that the Wildlife issues are resolved and 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 development will enhance the character and appearance to the northern entrance to the village, will reinforce a sense of place and will respect nearby development and longer views into the village
- the proposal makes efficient and effective use of a Brownfield site without harming the character of the surrounding area or neighbouring residential amenity
- the proposal will enhance the character and appearance of the Conservation Area
- the design and proposed materials will reflect and make reference to architectural features found on properties within the village
- the development makes adequate provision for the residential amenity of the future occupiers of the properties
- the proposal provides adequate parking provision for the occupiers of the dwellings and visitors and will not result in any adverse highway implications.

Hence the proposal accords with policies CBE3, DA1, DA2, H10, H15, H16, H20, H21, H23, LNE6, LNE9, LNE10, T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

In the event that the Wildlife issues are not resolved the recommendation will be revised.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED 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 the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C 2 No development shall take place until a plot-by-plot schedule and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C 3 No development shall commence until details of the type, design and external finish of all windows; external doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C4 No development shall take place until details of all road, footpath and courtyard surface materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C5 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of twelve months from the date of the occupation of the building for its permitted use.**

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

- C6 No development shall take place until details of street lighting (including location, appearance and illumination levels) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: For the Local Authority to safeguard the amenity of the area and in the interests of safety and, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C7 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no garage, carport or domestic enlargement to the dwelling(s) shall be constructed other than as those expressly authorised by this permission.**

Reason: In order to protect the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no windows shall be inserted into other than those expressly authorised by this permission.**

Reason: In order protect the amenity of the adjoining occupiers or the visual amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.**

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C10 Prior to the occupation of the dwellings hereby approved, the existing accesses to the lay-by on Uffington Road shall be removed, and re-instated to provide a continuous footway along the frontage of the site in accordance with plan SL1 F in accordance with details submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of highway safety, and to encourage the use of sustainable travel modes, in accordance with Policies T1 and T3 of the Adopted Peterborough Local Plan (First Replacement).

- C11 This permission does not include the temporary construction access shown on plan SL-CONST.ACCESS. Prior to commencement of development, a plan detailing the revised proposals for the temporary construction access and restoration thereof, shall be submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the approved details and be retained until the permanent vehicular access to the site is constructed.**

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).

- C12 The dwellings shall not be occupied until the areas shown as parking on plan SL1 F have been drained and surfaced, and those areas shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the use of the dwellings to which they are allocated.**

Reason: In the interest of Highway safety, in accordance with Policies T10 and T11 of the Adopted Peterborough Local Plan (First Replacement).

- C13 No dwelling shall be occupied until space has been laid out within the site in accordance with plan SL1 F for vehicles to turn so that they may enter and leave the site in forward gear, and those areas shall not thereafter be used for any purpose other than the turning of vehicles.**

Reason: In the interest of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).

- C14 Visibility splays clear of any obstruction over a height of 600mm above footway level shall be provided on either side of the junction of the proposed access road with the public highway, in accordance with plan SL1 F. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 90m measured along the channel line of the public highway from the centre line of the proposed access road. (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 existing highway nearest the new access).**

Reason: In the interests of Highway safety, in accordance with Policies T1, T3, T5 and T8 of the Adopted Peterborough Local Plan (First Replacement).

- C15 The visibility splays as shown on the approved plans at the junction of the access road with the public highway shall be provided before the use of the access commences.**

Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Adopted Peterborough Local Plan (First Replacement).

- C16 The vehicular access hereby approved shall be ungated.**
Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).
- C17 Before the dwellings are occupied, visibility splays shall be provided on both sides of the accesses shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m (for shared accessed) and 1.5m x 1.5m (for individual plot accesses) measured from and along respectively the highway boundary.**
Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Adopted Peterborough Local Plan (First Replacement).
- C18 No additional vehicular access shall be made to Uffington Road.**
Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement).
- C19 Notwithstanding the submitted information and prior to the commencement of the development unless otherwise agreed in writing with the Local Planning Authority, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the Construction Management Plan shall include amongst other matters:**
- a scheme for the monitoring of construction noise;
 - a scheme for the control of dust arising from building works, site works and any demolition of existing buildings;
 - a scheme of chassis and wheel cleaning for construction vehicles and cleaning of affected public highways;
 - a scheme of working hours for construction;
 - a scheme for construction access; including details of haul routes to the site, associated health and safety protection measures and details of
 - measures to ensure that all construction vehicles can enter the site immediately upon arrival;
 - a scheme for parking of contractors vehicles;
 - appropriate times for access for construction vehicles;
 - reference to the approved tree protection measures;
 - details of measures to ensure the contractors are aware of the archaeological issues on the site;
- The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**
Reason In the interests of highway safety and residential amenity in accordance with policies T1 and DA2 of the Adopted Peterborough Local Plan (First Replacement).

Informatives:

1. **Public Health Act 1925 S17-18**
The development will result in the creation of new street(s) and/or new dwelling(s) and/or new premises and it will be necessary for the Council, as Street Naming Authority, to allocate appropriate street names and property numbers. Before development is commenced, you should contact the Technical Support Team Manager - Highway Infrastructure Group on (01733) 453461 for details of the procedure to be followed and information required. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings.
Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.
2. **Highways Act 1980 - Section 184, Sub-Sections (3)(4)(9)**
This development involves the construction of a new or alteration of an existing vehicular crossing within a public highway.
These works **MUST** be carried out in accordance with details specified by Peterborough City

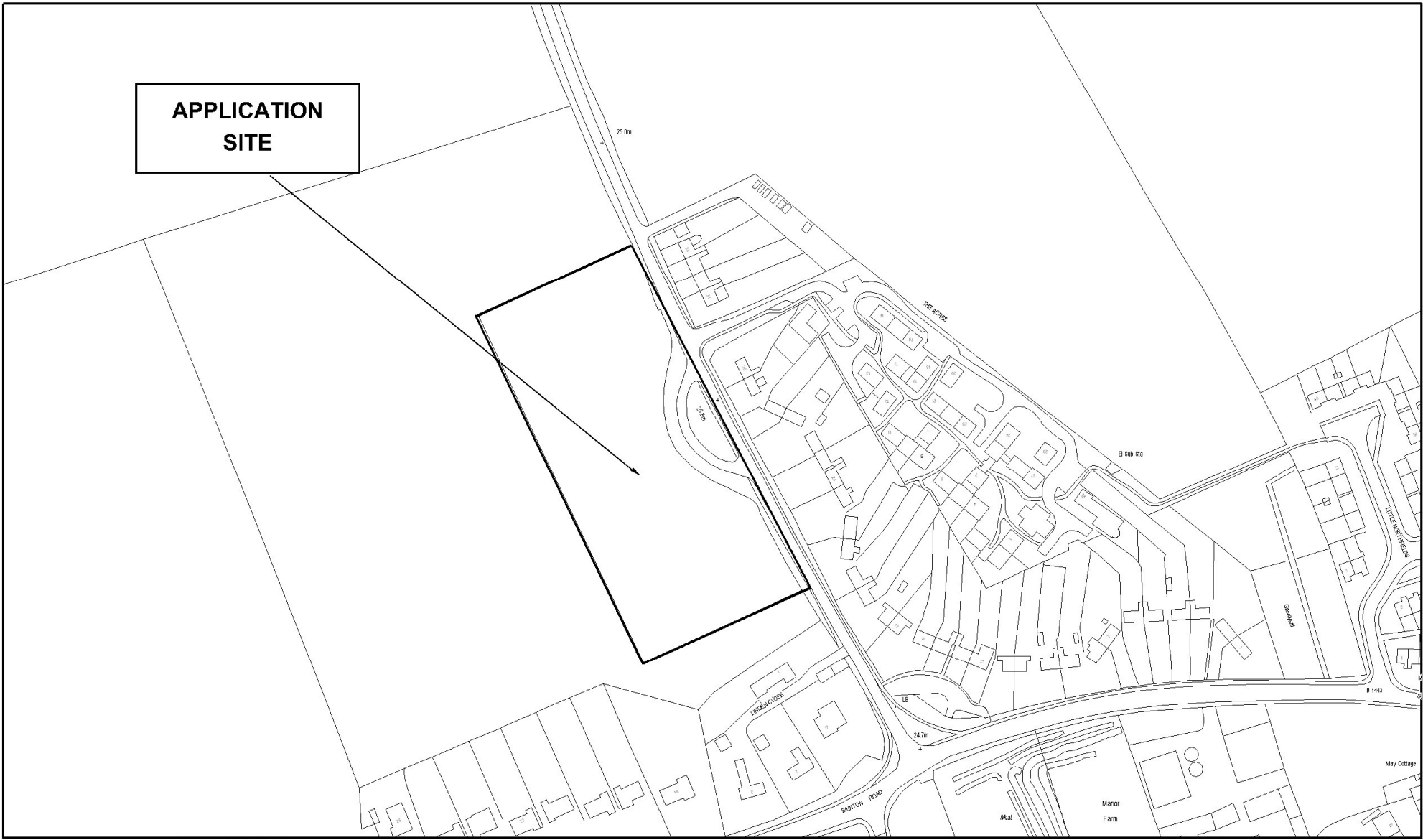
Council.

Prior to commencing any works within the public highway, a Road Opening Permit must be obtained from the Council on payment of the appropriate fee.

Contact is to be made with the Transport & Engineering - Development Team on 01733 453421 who will supply the relevant application form, provide a preliminary indication of the fee payable and specify the construction details and drawing(s) required.

3. The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering – Street Works Co-Ordinator on 01733 453467.
4. The development involves extensive works within the public highway. Such works must be the subject of an agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works, adequate time is allowed in the development programme for; approval by the council of the designer, main contractor and sub-contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport & Engineering - Development Team on 01733 453421.
5. The attention of the applicant is drawn to the need to make a formal application to the council for an agreement under Section 38 of the Highways Act 1980 if it is the intention that any of the highways proposed as part of this development are to be adopted. Prior to the commencement of the construction of these highways, adequate time must be allowed in the development programme for technical vetting, approval of temporary traffic management, booking of road space for any off-site highway and service works and the completion of the Section 38 agreement. Application forms for Section 38 agreements are available from Transport & Engineering - Development Team on 01733 453421.
6. **Highways Act 1980 - Section 148, Sub-Section C**
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
7. **Highways Act 1980 - Section 149**
If any thing is so deposited on a highway as to constitute a nuisance, the local authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
8. The developer should give consideration to Marshalls Rialta block paving or a gravel surface dressing, for the surfacing of the adoptable roads. A central drainage channel is also suggested.

Copy to Councillor Over



LOCATION PLAN 09/00464/REM

Land to the West off Uffington Road, Barnack, Stamford

Scale 1:2500 Date 20/8/2009 Name MKB Department Planning Services

PCC GIS



This map is reproduced from or based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office
© Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Peterborough City Council, 100024236, 2009.