

09/00838/FUL: CONSTRUCTION OF 8 DWELLINGS, 32 APARTMENTS, NHS  
RECOGNITION CENTRE (A2 OR B1 (a) USE TOGETHER WITH ACCESS,  
CAR PARKING AND LANDSCAPING

09/00839/CON: DEMOLITION OF ALL BUILDINGS ON THE SITE INCLUDING OFFICES AND  
GARAGES

AT 80 LINCOLN ROAD, PETERBOROUGH

VALID: 4 AUGUST 2009  
APPLICANT: ACCENT NENE LTD  
AGENT: DAVID SHAW  
REFERRED BY: HEAD OF PLANNING SERVICES  
REASON: IN THE WIDER PUBLIC INTEREST  
DEPARTURE: NO

CASE OFFICER: DAVID LOVEDAY  
TELEPHONE: 01733 747474  
E-MAIL: david.loveday@peterborough.gov.uk

---

---

## **1 SUMMARY/OUTLINE OF THE MAIN ISSUES**

The main considerations are:

- The impact of the development on the Conservation Area
- The impact of the development on trees and ecology
- The proposed design and layout
- The impact on neighbouring sites
- Car parking provision
- Community health provision
- Housing provision
- S106 Planning Obligation

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**

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

**CBE3** Development affecting a conservation area is required to preserve or enhance the character or appearance of that area.

**CBE4** Demolition of unlisted buildings which make a positive contribution to the character or appearance of a conservation area will not be granted, unless there are overriding reasons, or there are replacement proposals which make an equal or greater contribution.

**LNE9 New development must where reasonably practicable retain and protect the trees that make a positive contribution to the environment and make adequate provision for landscaping of the site.**

LNE19 Planning permission will not be granted for any development proposal that would cause demonstrable harm to a legally protected species.

**DA1 New development should be compatible with or improve, its surroundings in respect of its relationship to nearby buildings and spaces.**

**DA2 The density, layout, massing and height of new development must be able to be satisfactorily accommodated on the site, without adversely affecting the character of the area or any neighbouring sites.**

DA11 The vulnerability to crime in new development must be satisfactorily addressed in the design, location and layout of the proposal.

DA7 The needs of people with disabilities must be met in terms of access and provision of appropriate facilities.

CC8 New residential development in the city centre is supported provided suitable amenity for residents is provided.

CC15 Controls the provision of new city centre car parking for proposed developments.

CC16 New city centre development, should provide secure, safe, convenient and high quality parking for cycles.

OIW5 Supports office uses in the city centre provided there is good access by sustainable travel modes, and would not generate unacceptable congestion or road safety hazards.

CF7 New primary health

IMP1 New development must make provision to secure all additional infrastructure, services, community facilities and environmental protection measures, which are necessary as a direct consequence of development and fairly and reasonably related to the proposal in scale and kind.

### **Material Planning Considerations**

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

PPS1 Delivering Sustainable Development, sets out the planning policies for the delivery of sustainable development.

PPS3 Housing, seeks to secure well designed, high quality housing.

PPG13 Transport, seeks to integrate planning and transport and promote more sustainable transport choices.

PPG15 Planning and the Historic Environment, seeks to protect historic buildings, conservation areas and the historic environment.

ODPM Circular 05/2005 "Planning Obligations". Amongst other factors, the Secretary of State's policy requires planning obligations to be sought only where they meet the following tests:

- i) relevant to planning;
- ii) necessary to make the proposed development acceptable in planning terms;

- iii) directly related to the proposed development; (in the Tesco/Witney case the House of Lords held that the planning obligation must at least have minimal connection with the development)
- iv) fairly and reasonably related in scale and kind to the proposed development;
- v) reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

Similarly, planning obligations should never be used purely as a means of securing for the local community a share in the profits of development.

There is relevant guidance in the Park Conservation Area Appraisal.

### **3 DESCRIPTION OF PROPOSAL**

This is a joint committee report to cover:

1. 09/00838/FUL, the full application for the proposed residential development and NHS Recognition centre, and
2. 09/00839/CON, the conservation area consent for the demolition of the buildings on site.

Full planning permission is sought under planning reference 09/00838/FUL for 8 dwellings, 32 apartments and a NHS Recognition Centre (A2 or B1(a) use, together with access, car parking and landscaping. Conservation Area consent is sought under reference 09/00839/CON for demolition of all the existing buildings on site, including the main Thurston/Gayhurst Victorian villa.

The 8 dwellings proposed are to be accommodated in Blocks A and B on site and are all 4-bedroom 3 storey high open market town houses. These would be positioned on site in a terrace formation of 6 properties in block B, and a semi detached pair of two properties in block A. Each of the 6 dwellings in Block B have an integral single garage space, and the two properties within block A have 2 and 3 car parking spaces respectively positioned adjacent to their sites.

The 32 apartments on site would be provided in three and four storey high buildings. The apartments would consist of a mixture of one and two bedroom units, and would comprise of a mixture of rented, intermediate rented, and open market tenures. 14 of these apartments would provide the 35% on site affordable housing provision. These will be located in Block E and F on site, and will consist of 8 one bedroom rented apartments and 6 two bedroom intermediate rented apartments. The 32 proposed apartments on site are contained within 4 blocks, labelled C, D, E and F on the plans. Block F is to be a detached 3 storey high building positioned on the Lincoln Road frontage of the site. With blocks C, D, and E positioned to its rear, as terrace of 3 storey, 4 storey and 3 storey high units respectively.

The proposed 3 storey NHS Recognition Centre (640 sq metres) is to be located on the main Lincoln Road site frontage. Its purpose is to provide a multi agency 'hub' to support the long term health, education and general well being of the general community, especially those disadvantaged or suffering from inequality. This is to be realised by the provision of a publicly accessible space on the ground floor for exhibitions and information dissemination, set in an informal café environment. These activities are supported by various meeting and office spaces spread over the first and second floors. The plant room is to be accommodated within the third floor roof space.

48 residential car parking spaces are proposed for the dwellings and apartments; these include the 6 integral garages of the townhouses. 2 parking spaces for mobility impaired users are proposed to serve the Recognition Centre, with no staff or visitor car parking proposed. A total of 56 secure cycle parking spaces are to be provided on site in both cycle shelters and stores.

The existing vehicle access to the site from Lincoln Road is to be stopped up as a result of the development, with a replacement vehicular access proposed on the south east corner of the site. A central landscaped area is provided in front of apartment blocks of C, D, and E, with landscaping buffer strips on the northern and southern boundaries of the site.

#### **4 DESCRIPTION OF SITE AND SURROUNDINGS**

The site is located within the city centre boundary and Park Conservation Area as defined by the Local Plan. The site is located on the west side of Lincoln Road. It is positioned to the south of St Mark's Church and Beeches primary school site, and to the north of the Craig Street surface level public car park and NHS building. To the west of the site are the rear gardens of the two storey residential houses on Craig Street.

The site covers an area of 5,070 sq metres. It is occupied by a large substantial Victorian brick built villa, now in commercial use, located in the centre of the plot, along with various minor outbuildings at the western end of the site. The main building has many surviving original features and is a good example of the Victorian buildings that are characteristic of this part of Lincoln Road. The site is also characterised by its mature tree lined southern and eastern boundaries and the spacious nature of the plot.

#### **5 PLANNING HISTORY**

Application Number	Description	Date	Decision
98/01036/FUL	Erection of three prefabricated units for storage of office furniture and equipment	02.11.1998	Approved
97/00756/FUL	Use as office	12.09.1997	Approved
94/P0220C	Renewal of planning permission P1531/88/C/R for residential development comprising of 6 maisonettes and 14 flats with parking	17.11.1994	Approved
P1531'88	Residential development comprising maisonettes and 14 flats with parking	10.04.1989	Approved
P0982'85	Temporary use for furniture storage	23.12.85	Approved
P0464'85	Erection of 24 No. elderly persons flats	18.07.1985	Approved
P0074'80	Continued use as offices	19.02.1980	Approved

#### **6 CONSULTATIONS/REPRESENTATIONS**

##### **INTERNAL**

**Head of Transport and Engineering** – Considers that this scheme is not acceptable in terms of the lack of adequate on-site parking provision. This will result in problems within the site and consequently have a negative impact upon the adjoining public highway to the detriment of highway users. However acknowledges that as the car parking standards in the Local Plan are maximum car parking standards, they **cannot recommend refusal on policy grounds**.

**Historic Environment Officer** – The application site lies within or immediately adjacent to the site of the Boroughbury, the Abbot of Peterborough's principal grange and manorial centre for the town and parish of Peterborough. The archaeology evaluation undertaken revealed remains associated with medieval activity, including a trackway, ditches and deposits associated with the former stream. The site is currently occupied by a fine, large detached late 19<sup>th</sup> century house, which is typical of the historic urban landscape character, which is one of substantial late 19<sup>th</sup> century houses, set back from Lincoln Road, behind a screen of mature trees. The loss of the Gayhurst building and its replacement with development which does not reflect the historic character of the area in its scale, position or use of materials, is contrary to policy and should be refused. Any development on site should be subject to a further programme of archaeological investigation, secured by way of a planning condition.

## EXTERNAL

**Senior Architectural Liaison Officer** – Has identified a number of detailed design issues, particularly in respect of security and boundary treatments. They note the developments aspiration to meet the ‘Secured by Design’ standards.

**English Heritage** – Comments awaited.

**Peterborough Civic Society – Strongly opposes the application.** Whilst they consider that the demolition of buildings of character that contribute to the character of Conservation areas should generally be resisted. They do recognise however in this instance that as the existing building constrains the redevelopment of the site, that its loss may be acceptable in principle, only if the replacement development is not detrimental to the Conservation Area. They do however feel that **the proposed development would be detrimental to the Conservation Area**, due to the loss of the tree lined Lincoln Road frontage, the obscuring of views to the church, the density of development, and the proximity of development to the northern boundary.

## NEIGHBOURS & MANERP

12 Letters of objection have been received from 10 local residents, including the adjacent St Mark’s Church and Millfield and New England Regeneration Partnership, raising the following issues:

- Unacceptable impact on Conservation Area
- Overdevelopment of the site
- Buildings positioned too close to Lincoln Road, out of keeping with the established building line and character of surrounding area
- Unacceptable visual impact, not in keeping with the character of the area
- Over bearing impact on adjacent church building, and loss of church as visual focal point in the streetscene
- Loss of trees on site frontage
- Poor design, unacceptable size and scale of development, with building heights too high.
- Parking problems, additional traffic and dangerous road junction
- Loss of privacy and property values
- NHS use should be positioned closer to city centre for accessibility
- Residential use on site not acceptable
- Noise, litter, and public disorder issues
- Lack of open space/play areas

## COUNCILLORS

No comments received

## **7** REASONING

- a) **The impact of the development on the Conservation Area (The duty placed on decision makers to consider whether or not any proposal would serve to preserve or enhance the character or appearance of the area – 4 tests)**

The site lies within the Park Conservation Area, therefore the proposal needs to be assessed in terms of whether the proposed development and the loss of the buildings would preserve or enhance the character and appearance of the Park Conservation Area.

The existing building on site ‘Gayhurst’ and nearby buildings (including the St Marks Church and other former Victorian villas), the curtilage and street trees, are identified by the Park Conservation Area (2007) as features which make a positive contribution to the townscape of the Conservation Area. Planning Policy Guidance Note 15 advises that there should be a presumption against the demolition of any building which makes a positive contribution to the character of a Conservation Area. This is also reflected in point 5.8 of the Park Conservation Area Appraisal Management Plan.

It is not only the Gayhurst building itself that positively impacts on the townscape, but also its extensive grounds and curtilage trees which are typical of the Victorian character. This character is also shaped by the building line, together with consistent eaves and ridge heights on buildings nearby. The existing building on this site does not follow the building line and is not dominant in the street scene due to the strong tree presence on the site frontage and the large set back of the building. It provides a break in the frontage which allows views of the adjacent church and in particular its spire, which is a local landmark feature. This openness and the views that it provides, is also a part of the current character.

The development proposed, having regard to a) height b) proximity to the footway c) loss of trees, and d) reduction of views of the church, could be regarded as at odds with the character of the area.

The mass of the development, particularly the three and four storey apartments proposed in close proximity to the boundary with the Church, would impact upon its setting.

The developers have been requested to move the northern building further back within the site, to enable a) a more sympathetic building line b) retain as far as possible the important trees on the northern corner of the site which will c) retain views of the church in the street scene. Whilst only a relatively minor alteration to the layout, it will make the 'Recognition Centre' a stand alone building on the frontage.

Without such amendments, which are anticipated prior to the Committee meeting, the proposed development is considered contrary to the Park Conservation Area Appraisal, Policies CBE3 and CBE4 of the Council's Local Plan, and PPG15.

This aspect has to be weighed against any benefits that arise from the provision of the development here.

#### **b) The impact of the development on trees and ecology**

##### Trees

The site is characterised by a line of mature trees that run along the southern boundary of the site, adjacent to the Craig Street car park. All trees on site are protected by their location within the Conservation Area. The eastern boundary of the site fronting on to Lincoln Road also has a tree lined character, however these trees are of more varying maturity, with the more important trees found at the site corners.

The majority of the trees on the southern boundary are category A and B trees. These are trees that have been designated as having a high to moderate value, and as a result are recommended for retention in all new developments, where possible. They comprise mature Chestnuts, Limes and Yews, some of which rise to 18m in height. The proposed development recognises the importance of this mature tree belt on the southern boundary and seeks to retain them as part of the new proposal. The importance of minimising construction in the root protection areas (RPA) to prevent damage has been recognised, and so car parking only is proposed in these areas. No objection is raised to the proposed use of 'no dig' surfacing for the parking and access road construction within the RPA's of the trees. The parking in this area would however be likely to suffer from problems with seasonal fruit fall (conkers) and aphid excretion from the Lime trees due to the proximity.

The relationship between blocks A and B and the adjacent trees will result in significant shading for block A, and loss of light to the living rooms in block B particularly at first floor level. There may be a need to prune back the crown of some of these trees due to this impact and the apprehension of residents due to the close proximity of these large trees. The pruning of the trees would create long term pressure on these trees, which positively contribute to the character of the area.

To provide the street frontage space required on Lincoln Road for the Recognition Centre and Block F, six significant trees will have to be removed. These include a Yew, Pine, two trees of Heaven, and False Acacia. The Yew, Pine and trees of Heaven are high quality significant trees that have a positive influence on the street scene, and create vertical enclosure within Lincoln Road by their presence. They are assessed to be of such a high quality that they are worthy of creating a significant constraint on the development of this site.

The linear character and long perspective view along Lincoln Road is partly created by the presence of these trees, and they like other frontage trees within the road, dominate the street scene within this section of Lincoln Road. The loss of the trees on the frontage of the site is considered to be contrary to Policy LNE9.

The suggested amendment will enable some of those trees to be retained.

This aspect, too, has to be weighed against any benefits that arise from the provision of the development here.

### Ecology

The ecological assessment accompanying the application identified the need for a more detailed bat survey to be carried out. A report to detail this further survey work and any appropriate mitigation measures has been requested, and at the time of writing this document is still awaited. Members will be given an updated report of this at the Committee meeting. The other recommendations of the submitted assessment were for the use of native species in the planting proposals, that there be no site clearance or hedge/tree removal within the bird nesting season, and the provision of bird, bat, insect and hedgehog boxes on site. These can be secured by the provision of planning conditions.

The recommendation that 'all mature trees be retained on site' cannot be complied with as the scheme does propose the felling of some mature trees on site.

### **c) The proposed design and layout**

The NHS Recognition Centre has been deliberately designed to be a 'landmark' building with a strong street scene presence. The newly appointed Design Review Panel has taken the opportunity to comment on the design and recognise that modern design does have a place in the city. The centre is intended to be visible and accessible to the general city community, hence the scale of the building along the Lincoln Road street scene, with large areas of glazing to the ends and lower levels to allow its activities to be open and engaging with the public. The centre would be 3 storeys high with plant room within the roof, the side profile and roof is a low pitched green 'sedum' roof to help provide views of the skyline beyond.

The 3 storey block of flats to be positioned adjacent to the Recognition centre have been requested to be set back further from its building line so as not to compete with the Centre and allow it to be a truly landmark, stand alone, building. The flats are designed in a contemporary manner as established by the scale and style of the Recognition Centre and Lincoln Road frontage. The flats on the northern boundary are 3 storeys stepping up to 4 storeys in the central block. These apartments would have a south facing green space available for their use. The housing further to the west is also proposed as 3 storey, with a terrace block and pair of semi's designed to sit at the end of the site. These do not harmfully impact on the neighbouring 2 storey properties.

### **d) The impact on neighbouring sites**

The scale of development does have some impact upon the Church. Clearly it is a matter of judgement as to whether that impact is so harmful as to warrant a refusal of permission. It is one of the most challenging aspects of this proposal and has to be weighed against any benefits that arise from the provision of the development here.

It is not considered that the siting, layout and design of the residential dwellings would result in any harmful impact on the neighbouring residential properties in Craig Street.

### **e) Car parking**

11 car parking spaces would be provided for the 8 dwellings on site, and 37 spaces for the 32 apartments. The Local Highway Authority confirm that this level of parking would not meet the maximum car parking standards of the Local Plan Policy T10 and so would create, in their view, an unacceptable shortfall with the likelihood of parking problems for future occupiers. They further consider that the shortfall in car parking spaces would lead to residents parking on the surrounding streets, to the detriment of highway safety and the existing surrounding residents.

The site is however located within the city centre boundary, and policy CC15 seeks to limit the provision of new parking spaces for development preferring to encourage the sharing of existing city centre parking facilities and only where this is not possible limit any new parking provision to that which meets only the operational and mobility needs of the development. The use of more sustainable travel modes e.g. walking, cycling, public transport should be promoted in preference to the provision of car parking. Therefore the level of car parking proposed is not contrary to Policy CC15, and cycle parking is being provided on site in accordance with Policy CC16. A travel plan will be secured to encourage the modal shift away from the use of the private car.

The Recognition Centre proposes only 2 mobility car parking spaces with no staff or visitor car parking. However cycle parking and a travel plan would also be provided. This is in accordance with Policy CC15 as it is within a City Centre location.

Despite the concerns of the Highway Authority, they do not object on Policy grounds. As such, your officers can support the parking provision as it stands.

**f) Community Health**

The overall scheme secures the provision of, we are advised, a much needed facility for the community at large, in a location ideal for its use. There have been concerns expressed by local residents regarding public order, litter and the like, but these are management issues for the facility.

Whilst such concerns must not be ignored, they are in the officer's view outweighed by the overall benefits of the provision of this facility. It is hoped that the applicant will be able to address what they submit as the importance of this scheme for the health strategy for the City at the Committee meeting.

**g) Housing**

The development provides the required 35% affordable housing provision at a time when many developers are requesting a reduction in that figure. The achievement of such accommodation, close to the City Centre, is a positive and is the second real benefit arising out of the overall scheme.

**h) S106 Planning obligation**

A S106 obligation is being sought for the provision of 35% on site affordable housing in accordance with the RSS, and PPS3, and travel plan requirements in accordance with Policy IMP1 of the Local Plan. The remaining S106 contributions normally sought is being off-set by the provision of the NHS Recognition facility.

These requirements accord with both national and local policy and in your officer's opinion complies with the 5 tests and the principles set out in ODPM Circular 05/2005 (see Section 2 above) and the Tesco/Witney case in which the House of Lords held that the planning obligation must at least have a minimal connection with the development.

## **8 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.

This is not an easy decision for the Committee to make. There are policies, aspirations, aims and objectives (from the Council itself, its partners, the Local Planning Authority, interested parties and consultees), that conflict with each other. The principal conflict is the form of the development and any impact that this has on the character of the area. This has to be weighed against the need for the development and the benefits that it will bring to the city. Your officer has concluded that, with the suggested amendment, the balance tips in favour of the grant of permission, for both applications.

## **9 RECOMMENDATION**

1. The Head of Planning Services recommends that **09/00839/CON** is application is APPROVED subject to the following conditions:



- C1 Works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of the decision notice.**  
Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- C2 The demolition hereby approved shall not be commenced until such time as a contract for carrying out the works of residential redevelopment has been made and detailed planning permission granted for the development to which the contract relates.**  
Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
2. Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for a financial contribution to meet the affordable housing and travel planning needs of the area, the Head of Planning Services be authorised to grant planning permission for 09/00838/FUL subject to the following conditions:
- C1 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).
- C2 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, details of all materials to be used in the external surfaces of the development shall be 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).
- C3 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, details of all boundary walls/fences, gates to residential parking area, external lighting and CCTV shall be submitted to and approved in writing by the Local Planning Authority. These shall be erected prior to the first occupation of the development, and thereafter shall be maintained to the satisfaction of the Local Planning Authority.**  
Reason: In the interests of community safety in accordance with policy DA11 of the Peterborough Local Plan (First Replacement).
- C4 Notwithstanding the submitted information and prior to the commencement of the development, unless otherwise agreed in writing by the Local Planning Authority, a Construction and Demolition Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:**
- (a) A phasing scheme and schedule of the proposed works;
  - (b) Provisions to control construction noise and vibration emanating from the site;
  - (c) A scheme for the control of dust arising from building works and site works;
  - (d) A scheme of chassis and wheel cleaning for construction vehicles and cleaning of affected public highways;
  - (e) A scheme of working hours for construction and other site works
  - (f) A scheme for construction access; including details of haul routes to and across the site and associated health and safety protection measures and details of measures to ensure that all construction vehicles can enter the site immediately upon arrival; and
  - (g) The site compound (including site huts) and parking for contractors and other employee vehicles.

The development shall be carried out in accordance with the approved construction management plan.

Reason: In the interests of highway safety and residential amenity in accordance with policies T1 and DA2 of the Peterborough Local Plan (First Replacement).

- C5 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority.**

Reason: In the interests of Highway safety, in accordance with Policy T19 of the Peterborough Local Plan (First Replacement).

- C6 The dwellings shall not be occupied until the garage(s) shown on the approved plans have been constructed, in accordance with the details submitted to and approved in writing by the Local Planning Authority. The garage(s) shall thereafter be available at all times for the purpose of the parking of vehicles, in connection with the use of the dwellings.**

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy T10 of the Peterborough Local Plan (First Replacement).

- C7 No development shall be occupied until the associated space for bicycles to be parked for each of the uses, has been laid out within the site, and that area shall not thereafter be used for any purpose other than the parking of cycles in association with the uses on site.**

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy T9 of the Peterborough Local Plan (First Replacement).

- C8 The residential and NHS Recognition uses shall not be occupied until the area shown on the plan attached for their car parking has been drained and surfaced, and that area shall not thereafter be used for any purpose other than the parking of vehicles, in connection with the uses on site.**

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

- C9 No development shall take place within the residential site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.**

Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ, in accordance with Planning Policy Guidance (PPG16 Archaeology and Planning), and Policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement).

- C10 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a watching brief for the NHS Recognition centre site to be undertaken by an archaeologist approved by the Local Planning Authority in order that the excavation may be observed and items of interest and finds recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Planning Policy Guidance (PPG16 Archaeology and Planning), and Policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement).

- C11 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, of a Method Statement detailing the remediation of this unsuspected contamination.**

Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

- C12 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.**  
Reason: To protect features of nature conservation importance, in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).
- C13 The NHS Recognition centre building shall be used for that use only; and for no other purpose (including any other purpose within Class A2 or B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987) (or any provision equivalent to that class in any statutory instrument revoking and re enacting that Order with or without modification), notwithstanding the provisions of the Town & Country Planning (General Permitted) Development Order 1995 (or any statutory instrument revoking and re enacting that Order).**  
Reason: In order to protect the amenity of the area, in accordance with Policies DA2 and CC15 of the Peterborough Local Plan (First Replacement).
- C14 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).
- C15 Details of the surface water drainage system for the development (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any part of the development hereby permitted is first occupied.**  
Reason: In order to protect and safeguard the amenity of the area and of the water environment, in accordance with Planning Policy Statement (PPS23 Planning and Pollution Control) and Policies U1, U2 and U9 of the Peterborough Local Plan (First Replacement).
- C16 Prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority, details of the hard and soft landscaping works and other minor structures shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, unless otherwise agreed in writing with the Local Planning Authority, the following elements:-**
- i) a landscape management plan including long term design objectives, management responsibilities and maintenance schedule for any areas not within private gardens;**
  - ii) planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, plant sizes and densities;**

- iii) measures to promote biodiversity in accordance with the Protected Species Survey dated July 2009. These measures should be bird, bat, insect and hedgehog boxes/homes;
- iv) all means of enclosure;
- v) all hard surfacing materials;
- vi) any minor structures including waste/recycling facilities;
- vii) details of cycle parking provision, including the type of stands;

**The hard landscaping work shall be undertaken in accordance with the approved details prior to the occupation of each dwelling and the soft landscaping works in accordance with the approved proposals and implementation plan, unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure a good quality development in the interests of visual and residential amenity in accordance with policies DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).

- C17 If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.**

Reason: To ensure that the successful establishment of the landscaping scheme, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

If the S106 has not been completed within 3 months of the date of this resolution without good cause, the Head of Planning Services be authorised to refuse planning permission for the reason stated below:-

- R1 A request has been made by the Local Planning Authority to secure affordable housing and travel plan requirements however, no S106 Obligations have been completed and the proposal is therefore considered to be contrary to policy IMP1 of the Peterborough Local Plan (First Replacement).**

Copy to Councillors Hussain, Khan and Fazal