

**Application Ref:** 17/02464/FUL

**Proposal:** Construction of 67 dwellings including access, open space and associated infrastructure

**Site:** Land At, Guilsborough Road, Eye Green, Peterborough  
**Applicant:** Mr C Wickham, Westleigh Partnerships Ltd.  
**Agent:** Mr Alan Hardwick, RG and P Ltd

**Referred by:** Eye Parish Council and Councillor Allen  
**Reason:** Concerns of overdevelopment in relation to: traffic and highways impacts; harm to the Eye Green Nature Reserve; lack of village infrastructure; and drainage

**Site visit:** 24.01.2018

**Case officer:** Mrs Louise Simmonds  
**Telephone No.** 01733 4501733 454439  
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**Recommendation:** **GRANT** subject to relevant conditions

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

**Site and Surroundings**

The application site comprises a parcel of vacant scrub land, formerly used as a brickworks albeit there is little or no indication of this previous use remaining above ground. Accordingly, the site represents previously developed 'brownfield land'. The site extends to an area of approximately 3.17 hectares and part is allocated for housing development under the provisions of Policy SA5.4 of the Peterborough Site Allocations DPD (2012). The site also benefits from outline planning permission for the construction of up to 55 dwellings, approved by an Inspector on appeal in July 2015.

The site is located in a prominent position to the east of the principal entrance to Eye Green, Crowland Road, and is bound to the south by the A47 and the north, in part, by Guilsborough Road and residential dwellings off Pershore Way. To the north and east of the site, is the Eye Green Local Nature Reserve (LNR) and Eye Green County Wildlife Site (CWS) which also extends into the eastern-most part of the application site.

**Proposal**

The application seeks full planning permission for the construction of 67no. residential dwellings with associated access (roads and footways), public open space and other infrastructure including drainage.

The application scheme has been amended slightly from that which was originally submitted, to address comments raised by Officers and the Local Highway Authority in respect of the layout, to make provision for an area to accommodate a Localised Equipped Area of Play (LEAP) and to address the concerns of the City Council's Drainage Engineer.

## 2 Planning History

Reference	Proposal	Decision	Date
13/00006/SCREEN	Request for EIA Screening opinion for the construction of up to 55 dwellings	Comments	03/09/2013
14/00857/R4OUT	Residential development for up to 55 dwellings, means of access, open space and associated works	Allowed at appeal	16/10/2014

## 3 Planning Policy

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

### National Planning Policy Framework (2012)

#### **Section 1 - Economic Growth**

Planning should encourage sustainable growth and significant weight should be given to supporting economic development.

#### **Section 4 - Assessment of Transport Implications**

Development which generates a significant amount of traffic should be supported by a Transport Statement/Transport Assessment. It should be located to minimise the need to travel/to maximise the opportunities for sustainable travel and be supported by a Travel Plan. Large scale developments should include a mix of uses. A safe and suitable access should be provided and the transport network improved to mitigate the impact of the development.

#### **Section 7 - Good Design**

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

#### **Section 11 - Re-use of Previously Developed Land**

Should be encouraged provided that it is not of high environmental value.

#### **Section 11 - Biodiversity**

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

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

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

## **Section 11 - Noise**

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

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

#### **CS01 - Settlement Hierarchy and the Countryside**

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

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

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

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

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

#### **CS13 - Development Contributions to Infrastructure Provision**

Contributions should be secured in accordance with the Planning Obligations Implementation Scheme SPD (POIS).

#### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

#### **CS16 - Urban Design and the Public Realm**

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

#### **CS17 - The Historic Environment**

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

#### **CS19 - Open Space and Green Infrastructure**

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

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

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

#### **CS22 - Flood Risk**

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

### **Peterborough Site Allocations DPD (2012)**

#### **SA04 - Village Envelopes**

These are identified on the proposals map. Land outside of the village envelop is defined as open countryside.

### **SA05 - Key Service Centres**

Identifies the sites within the Key Service Centres which are allocated primarily for residential use.

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

#### **PP20 - Development on Land affected by Contamination**

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

### **Peterborough Local Plan 2016 to 2036 (Submission)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan took place in January and February 2018. The Local Plan was submitted to the Secretary of State on 26 March 2018 who will appoint a Planning Inspector to examine the Local Plan to establish whether it is 'sound', taking all the representations into consideration.

Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies

- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making progress, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At this final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

### **LP02 - The Settle Hierarchy and the Countryside**

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

### **LP03 - Spatial Strategy for the Location of Residential Development**

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

### **LP08 - Meeting Housing Needs**

a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

### **LP13 - Transport**

a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

### **LP14 - Infrastructure**

Permission will only be granted where there is, or will be via mitigation measures, sufficient infrastructure capacity to support the impacts of the development. Developers will be expected to contribute toward the delivery of relevant infrastructure.

### **LP16 - Urban Design and the Public Realm**

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

### **LP17 - Amenity Provision**

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

b) Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

### **LP19 - The Historic Environment**

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

### **LP21 - New Open Space, Sport and Recreation Facilities**

a) New Open Space, Outdoor Sport and Recreation Facilities- Residential schemes of 15 or more dwellings will be required to make appropriate provision for new or enhanced open space, sports and recreation facilities in accordance with the standards. The council's first preference is for on site provision.

### **LP28 - Biodiversity and Geological Conservation**

Part 1: Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

### **LP32 - Flood and Water Management**

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD.. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

### **LP33 - Development on Land Affected by Contamination**

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

### **LP39 - Large Village Allocations**

Identifies the sites within the large villages which are allocated primarily for residential use.

### **Community Infrastructure Levy (CIL) Regulations 2010**

#### **Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:**

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and

- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

#### **4 Consultations/Representations**

##### **PCC Wildlife Officer (27.03.18)**

No objections - The proposal would result in the loss of approximately 0.5 ha of Eye Green Gravel Pit County Wildlife Site (CWS) and can therefore be expected to have a direct negative impact upon features for which that site is designated. A scheme for compensatory habitat creation has taken place off-site to mitigate the impacts to the CWS and associated Open Mosaic Habitat (OMH) but there is also a requirement for the Developer to enhance the eastern area of the application site to the benefit of OMH plants and invertebrates (see previous outline permission). The proposed layout would appear adequate in principle to achieve this and would request a condition securing a detailed Ecological Landscape Management Plan.

The proposal would also likely result in negative impacts to the Eye Green Local Nature Reserve (LNR) which is located adjacent to the site. Adequate measures should be put in place to ensure no contamination occurs, such as those secured on the previous outline permission. It is also required that the financial contribution previously secured to be invested into the LNR be re-secured.

Previous investigations on the site identified that Great Crested Newts, Bats, Hedgehogs, nesting birds and Water Voles would be directly affected by the proposed development and therefore an Ecological Mitigation Strategy (as previously secured) is again required.

Other biodiversity enhancement measures such as bird nesting and bat roosting features are required and could be secured by condition.

In addition, whilst the loss of the car park to serve the nature reserve (previously secured by the outline permission) is understood, a layby providing some visitor parking should be provided.

##### **PCC Landscape Technician (29.03.18)**

Objection - Pleased to note the inclusion of an area for the creation of a Play Area (LEAP) within the development however the Council's adopted open space standards require the provision of 0.31ha of neighbourhood park and equipment for a LEAP. In addition, off-site financial contributions of £3,506.88 towards the Eye Green allotments and £23,892.96 towards the Eye Green Nature Reserve are requested.

The City Council does not wish for the creation of a car park facility for the Eye Green Nature Reserve, however a layby for the provision of 6 cars within the adoptable highway is requested.

Full and detailed landscape specification plans for the onsite public open space/amenity landscape areas, will need to be secured by condition.

##### **Archaeological Officer (03.04.18)**

No objections - Despite the presence of an Anglo-Saxon cemetery immediately to the north, given the expected degree of truncation caused by former mineral extraction associated with the Northam Brickworks, only archaeological monitoring of all groundwork is recommended.

**PCC Pollution Team**

No comments received.

**PCC Peterborough Highways Services (10.04.18)**

No objections – Concerns previously raised in respect of the submitted Transport Statement and layout have been addressed through the revised drawings/supplementary transport information. Request conditions requiring details/provision of the access from Guilsborough Road (similar to condition C8 of the earlier outline permission), provision of a cycle route to the existing overbridge which is part of the Green Wheel cycle network (as previously subject to condition C9 of the earlier outline permission), Construction Management Plan, highway connection before occupation, and parking/turning provision and retention.

**Lead Local Drainage Authority (03.04.18)**

No objections - Encouraged to see the use of SuDS to manage the quantity and quality of surface water onsite. Request that details be secured by condition to include: confirmation from the IDB regarding the rate of discharge into their system; overland flood flow and exceedance routes; conveyance routes to the swale; maintenance plan; ownership details of all assets; and technical details of all assets.

We note the concerns relating to flood risk in the village however surface water from the development is to be managed at greenfield rates and run away from Crowland Road. The Drainage Strategy shows foul water manholes to be located in private permeable paving. The Developer may wish to reconsider relocating these as they could become a maintenance liability in the future.

**Waste Management (09.04.18 and 10.04.18)**

No objections – The tracking information provided is acceptable and demonstrates that a PCC refuse vehicle could service the development. However, it is unclear as to whether the bin collection points are large enough to accommodate at least 2 bins and 1 food waste caddy per property.

**PCC Minerals And Waste Officer (Policy) (24.01.18)**

No objections - The proposal is adjacent to, but not within, a Minerals Safeguarding Area.

**PCC Tree Officer**

No comments received.

**PCC Lifetime Homes**

No comments received.

**Building Control Manager**

No comments received.

**PCC Travel Choice**

No comments received.

**PCC Strategic Housing (29.03.18)**

No objections - The proposal would provide an acceptable number of affordable dwellings to meet the 30% requirement of Policy CS8 of the Peterborough Core Strategy. In addition, the proposed tenure mix (12 x 2-bed and 9 x 3-bed dwellings) is a true reflection of the housing need in the area. This should be further broken down into a mix of 70% affordable rented dwellings and 30% intermediate tenure dwellings.

Please also be mindful that 20% of units should be to lifetime homes standard, and 2% should be wheelchair housing.



**Highways England (02.02.18)**

No objections.

**North Level District Internal Drainage Board (06.02.18)**

No objections - The SuDS proposed will require approval by Peterborough City Council and a development levy will be payable for dealing with any increase in run-off into the Board's Northolme Drain.

**GeoPeterborough (Sites Of Interest)**

No comments received.

**Peterborough Cycling Forum (04.04.18)**

Objection - The Cycle Forum believes that every effort should be made to encourage residents to access local facilities by cycle. This should include encouraging children to cycle from a young age. It is essential that the route must be convenient and safe. Wherever possible, the shortest and most direct possible route should be made to make travel by cycle quicker than by motor vehicle.

The Transport Statement notes a footbridge provides a safe and direct connection across the A47 to local services in Eye. However the plans include no direct access to this footbridge from within the development. The Forum therefore requests the provision of a shared use cycle/footpath across the green space at the north-western corner of the site to link to the footbridge.

There are also many facilities at the nearby service station and the Cycle Forum considers it highly desirable to install a pedestrian/cycle crossing on Crowland Road on the southern arm of the Crowland Road/Guilsborough Road roundabout. It is noted that Peterborough City Council does not want the proposed car park to be provided. Therefore the cost of this should be given over to provide/contribute towards this crossing.

Whilst installation of this crossing should be a priority, consideration should also be given to installing raised tables to provide traffic calming on the eastern and western arms of the roundabout to improve safety for pedestrians and cyclists.

**Environment Agency (29.03.18)**

No comments - The proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee.

**Natural England (29.03.18)**

No objections - The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

If the proposal is undertaken in strict accordance with the details submitted, it is not likely to have a significant effect on the interest features for which the Nene Washes Ramsar, SAC, SSSI and SPA have been classified.

The proposal is also within an area that Natural England considers could benefit from enhanced green infrastructure provision and would encourage incorporation of this into the development.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife. Such measures could be secured if the Local Planning Authority is minded to grant permission. In addition, the application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment through green space provision and access to/contact with nature.

### **Police Architectural Liaison Officer (PALO) (27.03.18)**

No objections - Happy to support the development as the design and layout proposed should mitigate against vulnerability to crime. This area of Peterborough does suffer from burglary so we would welcome consultation with the Developer should approval be given. Consideration should also be given to the principles of Secured by Design as we believe the proposal could meet the requirements of Gold certification.

### **Cambridgeshire Fire & Rescue Service**

No comments received.

### **Anglian Water Services Ltd (09.02.18)**

No objections - The foul drainage from this development is within the catchment of Flag Fen Water Recycling Centre which does have capacity for these flows. Request a condition securing a foul water strategy to ensure no unacceptable risk from foul water flooding.

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

Initial consultations: 59

Total number of responses: 12

Total number of objections: 12

Total number in support: 0

Two rounds of public consultation have taken place in respect of the proposal. During the **first round**, a total of 10no. objections were received from local residents on the following grounds:

#### Principle of development

- The size of the land is not large enough to accommodate the extra number of houses. It has already gone from 33 to 55, and now 67. The idea of 35 houses is good, 55 is a push and 67 is just ridiculous.
- If at all, the site is more suited to a small industrial use.

#### Ecology

- Looking at the map, the extra land required would eat into the nature reserve and the path that circles the lake. The reserve is a protected area, how is it protected if part of it is used for housing?
- The nature reserve would deteriorate more. As it is there are piles of rubbish and dog poop around the lake, not to mention the (unlicensed?) fishermen and the scorched earth where there have been barbecues. The additional housing would only increase this problem and deteriorate the reserve further, as well as increasing the carbon footprint around the lake.
- The wildlife within the nature reserve will move away.
- Many of the residents of Pershore Way have cats and they have devastated the rabbit and bird population in the reserve over the past 15 years.
- As owner of the adjoining land, I have been heavily involved in managed farm land for wildlife. In 2016, the RSPB carried out a survey across the farm and a turtle dove was recorded on the north side of the reserve. These birds are endangered and this habitat is valuable to them, along with many of our smaller birds. Whilst the value of the great crested newt etc. is appreciated, we should be looking at the greater picture.

#### Highways

- Guilsborough Road has only one entrance and exit which will not be large enough to accommodate the 134 additional vehicles. That is providing that every household has only two cars. That figure does not take into account the added number of visitors that come and park to walk around the lake. As it is, emergency services have had difficulty getting down Guilsborough Road and Pershore Way, so increasing the housing will only make matters worse.

- Assume you have chosen this plot of land for development as none of you live near this and don't have to try and negotiate the already overly busy and dangerous junction when trying to travel into/out of the village, crossing the A47.
- Goodness knows how many more cars will be added to the village. We are no longer safe on the roads as it is - people race through the High Street and speed bumps don't deter them.
- Concerned about congestion during the rush hour. I (resident of Pershore Way) already struggle in the morning with dog walkers parked on Guilsborough Road. With 67 new homes this will add significant traffic congestion in the area. Access from just Guilsborough Road is not sufficient for the new estate and additional access onto A47 is needed.
- The parking provision for the nature reserve is not sufficient as upwards of 20 cars are often parked in the road in the summer. This will become additional parking for the residents, and visitors to the reserve will park on Guilsborough Road and Pershore Way causing access problems.

#### Infrastructure

- Eye village does not have the infrastructure to accommodate the additional 67 houses and families along with the other planning permission to build an extra 200 plus houses at the other end of the village. The village itself has a few shops, one pub, a few restaurants, one doctor's surgery, one dentist and a small school that is close to over-capacity.
- The development will place additional pressure on the existing old sewage system.
- Please send details for the new doctor's surgery and school extension. Obviously you will have planned these already as no self-respecting Council would keep building more houses without these key infrastructure plans in place.

#### Other matters

- During the summer months the lake is an attraction to swimmers despite warning signs. There have already been a number of deaths related to swimming in the lake and it only goes with common sense that the additional families around the lake would mean that the probability of more swimming-related deaths occurring would increase.
- The additional number of cars in the area will harm air quality.

During the **second round** of consultation, two further objections have been received from local residents (both of whom had previously written in). Both objectors have reiterated previous objections and the following were raised additionally:

- Will local house prices decrease? Views we (resident of Pershore Way) have paid for will be lost.
- People already park outside our (Pershore Way) house and this may be associated with needles found within the lake area. Are we going to get residents only parking down Pershore Way due to Guilsborough Road now being used as access to the new housing?

N.B. At the time of preparing this report, the revised public consultation period has not ended and therefore any further objections will be presented to Members in the Briefing Update Report.

**Councillor Allen** has also raised objections to the proposal as follows (please note that these objections relate to the originally submitted scheme):

- The site has seen the original plans for 35 houses being increased to 55 and approved at appeal. Now the revised application shows a further increase to 67. I have well-founded concerns with regards to overdevelopment of the site.
- This is compounded by the incursion of the development into the adjoining Nature Reserve with the revised plans taking in land from the established buffer zone.
- The application shows no provision for a children's play area and appears to rely on the buffer zone being the only amenity green space allocation. It is important that the integrity of the established nature reserve is not in any way threatened by allowing the developers to suggest the green space is considered as a play area for the housing.

- Of further concern with the land grab is the heritage pond area being included in the intended development site. The pond is a habitat for great crested newts with a wall at the rear of the pond bearing a plaque recognising the location's connection with the former brick works on the site.
- -The additional traffic that will be decanted onto the A47 from the A1139 Crowland Road will see further gridlock for Eye residents. The roundabout is already under pressure from the current flow.
- Clearly at some stage in the near future the A47 Eye bypass must be widened. This will be essential in order to alleviate the increased traffic flow problems from the relentless demand of new housing developments in the area. Yet the proposed development fails to recognise the need for land to be allocated to allow for this; with no clear evidence of any buffer strip being in place between the location of the proposed houses and the existing road to allow for the widening.
- Eye is yet again finding itself with increased housing development without any apparent infrastructure upscale. Road improvements, school capacity and of course the availability of doctors need to be addressed. Although the latter is notionally outside the remit of planning decision, the issue must be a prime concern before this application can be approved.

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

The main considerations are:

- Principle of development
- Density, layout, design and impact upon the character and appearance of the surrounding area
- Ecology
- Access, parking and highway implications
- Amenity provision
- Drainage and flood risk
- Archaeology
- Public open space and infrastructure
- Contamination

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

As detailed in Section 1 above, part of the 3.17 hectares of the application site is allocated for residential development under the provisions of Policy SA5.4 of the Peterborough Site Allocations DPD (2012). As part of this allocation, the policy indicates that construction of 35 dwellings may be appropriate. Notwithstanding this allocation, the site benefits from outline planning permission for the construction of up to 55 dwellings which was allowed on appeal following refusal of application reference 14/00857/OUT. This permission is extant (i.e. live) and, subject to submission of a further reserved matters consent application, could be built out. It therefore constitutes the 'fall-back' position and is a material consideration in the determination of this application. It should be noted that, with the exception of a parcel of land to the far east of the site (running along the southern boundary of the lake), the red line boundary of this outline permission is the same as that currently proposed.

In addition, as detailed in Section 3 above, the emerging Peterborough Local Plan 2016-2036 has recently been submitted to the Secretary of State for consideration and may therefore, dependent upon a number of factors, be afforded weight in decision-making. Within this emerging plan, the application site in its entirety, is proposed for allocation under Policy LP39.3. Whilst this policy as a whole has received considerable objection, the proposed allocation itself has not and therefore may be afforded weight in assessing this proposal. This allocation, following the extant outline permission, indicates that the construction of 55 dwellings may be appropriate.

In light of the existing and emerging allocations, and the extant outline planning permission, it is considered that the principle of residential development on this site is acceptable. It is acknowledged that the proposal seeks a greater number of dwellings than the allocations indicate and permission allows for – 67no. residential dwellings which represents an increase of 12 from the fall-back position. This increase in dwelling numbers forms the basis of many of the reasons for objection raised by local residents. The impacts arising from the increase are the key issue in determining whether the proposal is acceptable in the planning balance, including the benefits arising through increased housing provision to meet the Council's target for new homes during the plan-period and economic growth through job creation.

#### **b) Density, layout, design and impact upon the character and appearance of the surrounding area**

It is acknowledged that the application site is located at the edge of the Eye Green, and occupies a prominent position at the entry to the village. In terms of the density of the development proposed, the proposal would represent a density of 21 dwellings per hectare. Whilst at the edge of the village, the site is bound by the relatively hard and urban form of the A47, with the built form of Eye to the opposite side of this trunk road. The submitted layout would provide for a more dense layout to the east of the site (abutting the existing built form of the village and the service station) with a mixture of semi-detached and terraced dwellings, whilst a less dense form with larger detached dwellings would be to the northern and western parts of the site (which abut the Eye Green Local Nature Reserve with the open countryside beyond). It is considered that this density spread adequately responds to the context of the site and its surroundings.

In terms of its layout and design of the proposal, it is considered that the proposal sufficiently responds to the constraints and shape of the site. The development would provide active frontages to the northern, eastern and southern site boundaries, and would integrate with the existing residential development off Guilsborough Road/Pershore Way. To Crowland Road, an area of landscaping would screen the development and introduce a soft verdant entrance to the village. The exact detail of this landscaping is unknown at this time however this could be secured by condition. Subject to appropriate and relatively dense planting, it is considered that this landscaping would frame the entrance to the village and represent a significant improvement upon the current appearance of the streetscene.

Turning to the design of the dwellings, these would be relatively standard to many new residential estates within the City. However the scheme does propose to include less suburban design touches including wooden porches, decorative soldier coursing, bay windows and decorative lintels. Whilst Eye Green itself does not have any particularly strong local vernacular, it is considered that this overall design appropriate is appropriate and would ensure that the development does not appear incongruous or alien within its setting.

Overall, it is considered that the density, layout and design of the proposal development is such that it would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area. Accordingly, the proposal is considered to be in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time (there are no unresolved objections relating to this policy).

#### **c) Ecology**

##### Designated sites

As detailed above, the application site abuts the Eye Green Local Nature Reserve (LNR) and incorporates part of the Eye Green Gravel Pit County Wildlife Site (CWS) which includes, in particular, an area of Open Mosaic Habitat (OMH) suitable to invertebrates. It is noted that a number of objections have been received in respect of loss of and harm to these ecology assets and this forms one of the key considerations of the proposal.

As with other material planning considerations, the fall-back position is of relevance to the impact of the proposal upon these designated sites, as the loss of part of the CWS and the OMH has previously been considered and found to be acceptable. In the granting of outline planning permission on the site (for the construction of up to 55 dwellings), the Inspector concluded that development in close proximity to the eastern site boundary was acceptable as the natural topography would allow for a narrow buffer (narrower than the current site allocation allows for) on part of the CWS which has limited value to the public enjoyment of nature conservation. In reaching this view, the Inspector gave considerable weight to the planning benefits proposed by the development which included the off-site creation of replacement OMH (of no less than 0.5 hectares), transfer of a pond and surrounding land adjacent to the lake to the Council for inclusion within the CWS and creation of a car park for use by visitors to the LNR which was to be transferred to the Council.

The current proposal seeks to maintain the eastern boundary of the site and would still provide for a narrow buffer to the lake despite additional dwellings being proposed. There would be no further encroachment upon the LNR/CWS and suitable landscaping could reasonably be secured by condition. With regards to the additional benefits/mitigation previously secured, it should be noted that the off-site OMH creation to off-set the loss of the CWS from the development has already been secured and partially implemented through the granting of planning permission 15/00901/FUL. In addition, the Applicant is maintaining the proposed transfer of the pond and surrounding land to the Council for inclusion within the CWS. However, the previously secured public car park is no longer proposed and instead, in its place, a layby within the adoptable highway for 4no. cars is proposed. [It should be noted that at the time of consulting the City Council's Wildlife Officer this layby was not shown however revised drawings have been received to show it.]

This change results from detailed discussions between Officers and the Applicant following issues regarding the transfer of the car park. Concerns were raised that the car park would likely result in increased crime and anti-social behaviour through lack of natural surveillance and lighting which would, over time, become a long-term liability for the Council and residents. As such, Officers consider that a layby within the adoptable highway, which would be maintained by the Local Highway Authority and fully lit, would be more appropriate and more usable in the long-term.

Notwithstanding this change, it is considered that the proposed enhancement/mitigation is sufficient to offset any harm resulting to the LNR/CWS and this view is shared by both the City Council's Wildlife Officer and Natural England, neither of whom have raised objections in relation to the designated sites.

#### Protected species

Turning next to protected species, the application has been accompanied by the ecological survey undertaken as part of application reference 14/00857/OUT (allowed at appeal) and an updated survey undertaken in December 2017. These reports identify that populations of Great Crested Newts, Bats, Hedgehogs, nesting birds and Water Voles (all of which are protected) would be directly affected by the proposed development of the site.

The Wildlife Officer has raised no objections to the proposed development despite the presence of these protected species, provided that mitigation and protection measures are secured by condition. The mitigation includes translocation of Great Crested Newts to newly created habitat within the CWS to the north of the lake; further Water Vole surveys and a mitigation strategy including enhancement measures; lighting details to ensure no harm to bat populations; protecting boundary fencing; pollution prevention measures; and biodiversity enhancement through bat roost and bird nest boxes. These measures have all previously been agreed by the Inspector in granting outline permission on the site.

It is noted that one objector has raised concerns with the proposed Great Crested New habitat creation owing to potential conflict with Turtle Doves (a UK Biodiversity Action Plan (BAP) priority species) within the locality. Any scheme for the translocation of the newts would be subject to detailed consultation with the Wildlife Officer who would ensure that any mitigation/protection for one species did not harm or prejudice populations of other protected species.

On this basis, it is considered that the biodiversity interests in and near to the site can be adequately conserved, mitigation or compensated for subject to the imposition of conditions and planning obligations. Accordingly, the proposal is in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), paragraph 118 of the National Planning Policy Framework (2012) and emerging Policy LP28 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time (there are no unresolved objections relating to this policy).

#### **d) Access, parking and highway implications**

##### Traffic generation and access

The application has been accompanied by a Transport Statement which sets out the likely traffic generation arising from the proposed development. The requirement for an assessment originally resulted from comments from Highways England during consideration of the extant outline planning permission (reference 14/00857/R4OUT) as they required assessment to consider the impacts of the traffic generation from the development and, in particular, whether it would cause queuing back onto the A47/Crowland Road roundabout.

The starting point in considering the impact arising from the current proposal in terms of traffic generation is this extant outline permission which allows for the construction of up to 55no. dwellings. During consideration of this earlier application, neither Highways England nor the Local Highway Authority raised objections as it was considered that the traffic generation arising from the proposed dwellings could be acceptably accommodated by the existing public highway network without undue harm. The current proposal seeks 12no. additional dwellings and the submitted Transport Statement indicates that this would generate a maximum trip generation (in the morning peak) of 34no. vehicular movements. The Statement also indicates that the majority of these movements (and those of the evening peak) would be to/from the A47 in a westwards direction towards the City. Whilst it is acknowledged that a significant number of the objectors have raised concerns with regards to the potential safety issues arising from these increased movements, Highways England has raised no objections and has not requested any conditions either. Therefore, it is concluded that the proposal would have no undue impact upon the A47 trunk road. In terms of the wider public highway network, the LHA are accepting of the traffic data provided and raised no objections in terms of impact upon the City Council's highway network.

With regards to the sustainability of the application site, it is acknowledged that the site is located more than 400 metres from the nearest bus stop which is further than the LHA would usually accept. However, this was previously not raised as an issue in granting outline permission on the site, or in its allocation. Whilst the proposal would result in more dwellings located this distance from the bus stop, it is not considered that 12no. dwellings in themselves triggers the need to create a new bus stop given that one was not sought as part of granting outline permission on the site.

In addition, it is noted that the Peterborough Cycle Forum have advised that the proposal should provide a cycle connection to the nearby/adjacent footbridge across the A47 trunk road, as well as provide a new dropped crossing to the southern arm of the Crowland Road/Guilsborough Road roundabout. With regards to the cycle connection, this request has also been made by the LHA to improve connectivity to the Green Wheel cycle network. This was a requirement of the extant outline scheme and therefore, Officers have sought revised drawings to show sufficient space for this cycle connection. Revised drawings are awaited and Officers will provide an update in this respect within the Briefing Update Report. Turning then to the dropped crossing, there are already crossings to the eastern and northern spurs of this roundabout which provide a safe route across to the nearby services. Therefore, it is not considered that a further crossing can be justified as being reasonably necessary to make the current development acceptable.

#### Parking and highway layout

The proposal, as with the extant outline permission, seeks to take access from Guilsborough Road and would maintain the current 5 metre wide carriageway and 2 metre wide footways to either side. It is noted that some residents have raised objections to this owing to additional congestion in the mornings and requested that an alternative access be taken from the A47 trunk road. However, the Local Highway Authority has raised no objections to this access location and it has already been secured as part of the extant outline permission.

The highway layout within the development maintains this carriageway and footway layout to all proposed adoptable roads which would all provide turning heads of sufficient size to accommodate refuse and service vehicles. The LHA has raised no objections to this layout and it is considered sufficient to meet the needs of the proposed development. From these adoptable roads, private driveways would serve the remainder of dwellings. Only one would be of a length which would pose issues in terms of refuse vehicle connections – serving Plots 13-16 – however the bin drag distance here would not be significantly exceeded for occupants and tracking has been provided to demonstrate that a service delivery vehicle/emergency vehicle could access and turn within the turning head proposed. It is noted that the Peterborough Cycle Forum has requested that raised tables be provided to the eastern and western arms of the Crowland Road roundabout to reduce vehicle speeds. However it is not considered that the proposed development would trigger such a need, given that the LHA are accepting of the level of traffic generation arising from the development.

With regards to the level of parking proposed to serve the development, each dwelling would be provided with at least 2no. allocated parking spaces and, in the case of the larger detached dwellings, the majority would be provided with 3 or more parking spaces. This accords with the Council's adopted minimum parking standards. With regards to visitor parking, the proposal does not seek to provide dedicated spaces off-road, however the LHA has confirmed that this is acceptable as the highway layout has sufficient capacity to safely accommodate on-street parking without posing an undue safety risk.

Turning to the parking associated with the LNR, it is noted that many people do not consider that the loss of the proposed car park (secured under the extant permission) is acceptable and any reduction would cause significant safety dangers on Guilsborough Road/Pershore Way owing to the number of visitors at peak times (i.e. summer months). These concerns are noted however at present the LNR has no formalised parking and the proposal would represent betterment in this regard, providing 4no. bays for use clear of the carriageway. Whilst it is agreed that there can be no mechanism to prevent residential visitors from using these bays, the provision of 4no. bays is nonetheless considered a betterment to the existing situation.



On the basis of the above, the proposal would provide adequate parking and turning to meet the needs of the development, and would not result in unacceptable impact to the surrounding public highway network. The proposal is therefore in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011), Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP13 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time (there are some unresolved objections relating to this policy albeit not to those parts which apply to this development).

#### **e) Amenity provision**

##### Existing occupants

With regards to the impact upon existing residential occupants, notwithstanding the traffic impacts set out above, the proposal would have the most impact upon those residential dwellings which back onto Guilsborough Road (Nos. 1, 3 and 5 Pershore Way). The proposal would introduce dwellings which front onto Guilsborough Road and face towards the rear of these neighbouring dwellings. The proposal would be set approximately 17 metres from the rear gardens of these dwellings and 29 metres from the nearest primary habitable windows. These separation distances are considered sufficient to ensure that no undue overlooking or loss of privacy results to occupants. Furthermore, whilst the proposed dwellings would be sited due south of the existing dwellings, this degree of separation would be sufficient to ensure no overshadowing or loss of natural daylight/direct sunlight results.

##### Future occupants

Turning first to the proposed layout, the proposal would ensure that adequate back-to-back and back-to-side separation distances are provided. This would ensure that no future occupant suffers from undue levels of overbearing, overshadowing or overlooking impact. Furthermore, each dwelling is considered to benefit from an outdoor amenity area of a size commensurate with the scale of the dwelling that it serves, and which is sufficiently private. Each of the dwellings proposed would provide adequate internal living space, and would be subject to sufficient natural daylight to ensure that they offer good standards of amenity and liveability. Furthermore, adequate refuse collection points within acceptable bin drag distance would be provided, and car parking spaces would be located in close usable proximity for occupants.

Notwithstanding the above, the main issue in relation to future occupant amenity relates to noise levels on the site which directly result from the site's proximity to the A47 trunk road. As part of the extant outline planning permission, a noise assessment was approved which detailed a host of mitigation measures that should be provided to ensure that both outdoor and indoor noise levels were within acceptable tolerances. These measures included provision of a 3 metre high acoustic fence to the south-eastern and south-western corners of the site, a 2 metre acoustic fence to the remaining southern boundary, a set-back distance of 45 metres from Crowland Road for any dwellings, and no outdoor amenity areas (gardens) facing towards the A47.

The current proposal has been accompanied by an updated noise assessment which sets out alternative noise modelling and mitigation measures. To date, the City Council's Pollution Control Team has not provided comment on this revised assessment or mitigation scheme and therefore Officers are unsure as to whether this is sufficient to ensure no undue noise levels will result to future occupants. This is particularly in relation to those plots which are closest to the A47 as there is no longer a proposal to erect acoustic fencing but instead, install standard glazing and acoustic trickle vents with some acoustic fencing as the garden boundaries, rather than a fence along the entire southern boundary. Owing to current resource issues, Officers are unsure as to whether comments will be received before the proposal is heard by Members at Committee however, it is considered that notwithstanding whether the current mitigation measures are acceptable, a scheme of mitigation could reasonably be secured and therefore Officers are seeking delegated authority to resolve this matter before a final decision is issued.

Subject to securing appropriate mitigation and receiving no unresolvable objection from the Council's Pollution Control Officer, Officers consider that the proposal would afford future occupants with an acceptable level of amenity and accordingly, the proposal is in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP17 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time (there are no unresolved objections relating to this policy).

#### **f) Drainage and flood risk**

The application site is located within Flood Zone 1, an area of low probability of flooding. A site-specific Flood Risk Assessment (FRA) has been submitted in support of the proposal which also includes an indicative surface water drainage strategy. The FRA highlights that the site is not at undue risk from flooding from any nearby sources, and as such, it is only those risks arising from surface water run-off from the development which must be managed.

The proposal seeks to restrict surface water discharge (into the watercourse to the east of the site as it presently does) to no greater than greenfield rates of 5 litres per second. During normal rainfall events, this will be achieved through sewers beneath the adoptable roads however attenuation is required for those incidents of high intensity rainfall. As such, the proposal seeks to attenuate surplus flows through the use of oversize pipes, voided stone tanks beneath permeable paving and a detention basin to the south-eastern corner of the site. All private driveways (both individual and shared) would be construction of porous block paving and to the north-eastern corner, water would be directed via a swale down to the attenuation basin. The City Council's Drainage Engineer (Lead Local Flood Authority) has raised no objections to this proposal subject to securing the detailed design by condition. In addition, the North Level Internal Drainage Board has agreed to accept the flows from the development subject to the Developer agreeing their standard levy charge.

On this basis, it is considered that surface water will be adequately managed so as to not pose an unacceptable flood risk either on-site or elsewhere. The proposal is therefore in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP32 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time (there are some unresolved objections relating to this policy).

#### **g) Archaeology**

The application site is located within close proximity of an Anglo-Saxon cemetery (immediately to the north). Whilst the site is likely to have been heavily disturbed/truncated by virtue of the former brickworks, the City Council's Archaeologist considers that there may be some potential for undisturbed buried heritage assets. Therefore, a condition has been requested to secure the monitoring of all groundwork. Subject to this condition, it is considered that the proposal would not pose an unacceptable risk to undiscovered buried heritage assets and is therefore in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012), paragraph 128 of the National Planning Policy Framework (2012) and emerging Policy LP19 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time (there are minor objections relating to this policy).

## **h) Infrastructure and developer contributions**

### Infrastructure

It is noted that nearly all objections received, including those from Councillor Allen and the Parish Council, have expressed significant concern regarding the lack of infrastructure capacity within Eye and its surroundings to accommodate the proposed additional dwellings. These concerns are noted however the development proposed is liable under the Council's adopted Community Infrastructure Levy (CIL). This levy is a fee charged for each square metre of floor area in the new development and is used to fund a wide variety of infrastructure including transport schemes, schools, hospitals and other health/social care facilities. Therefore, the development will secure a financial contribution towards the infrastructure demands that it generates and whilst this infrastructure may not be in place before the development takes place, this cannot be used as a reason for refusing the current proposal.

### Affordable housing

With regards to other contributions, the proposal seeks to provide 30% of the dwellings (a total of 21 units) as affordable houses which is directly in line with the Council's policy requirement set out in Policy CS8 of the Peterborough Core Strategy DPD (2011). Of these units, it is proposed for a mix of 12no. 2-bed dwellings and 9no. 3-bed dwellings. The City Council's Strategic Housing Officer has confirmed that his mix is appropriate and a true reflection of housing need in the area. In addition, the proposed units should be split into a tenure mix of 70% affordable rented and 30% intermediate tenure (homes for sale and rent provided at a cost above social rent, but below market levels). The overall provision, including the tenure split is to be secured by way of a S106 legal agreement.

In addition to the above, Policy CS8 also requires that 20% of dwellings be to lifetime homes standard and 2% be wheelchair homes. This therefore requires that 14 dwellings be lifetime homes and 2 dwellings be wheelchair homes. The proposal seeks to meet with this requirement, and the specification of the dwellings is considered to meet the relevant parts of the Building Regulations.

### Public open space

The City Council's Landscape Technician has provided detailed comment on the proposal and advised that, under the Council's adopted open space standards, on-site public open space comprising 0.31 hectares should be provided in addition to provision of a LEAP children's play area. Further to this, the Technician has advised that financial contributions towards allotment provision of some £3,506 and the Eye Green LNR of £23,892 are required.

The proposal seeks to provide a total of 0.575 hectares of public open space plus 400sqm of land for a LEAP. It is acknowledged that, in terms of the public open space area, represents a betterment upon the policy requirement. It is not proposed for the LEAP to be equipped through this proposal. This level of provision is considered to be appropriate to meet the needs of the development, particular in the context of the extant outline permission which did not secure provision of a LEAP. The additional 12 dwellings in themselves do not trigger the need for such an area, and the Developer is proposing the land only which would be transferred to the Council for equipping using CIL monies from other developments within the locality.

In terms of off-site public open space contributions, again the extant outline permission does not secure any (including to the LNR despite the comments made by the Council's Wildlife Officer) and therefore, it is only the impacts arising from the additional 12no. dwelling proposed which can be considered. In this instance, Officers do not consider that this number of dwellings results in significant pressure upon the nearby Eye Green allotments to such a degree that a financial contribution could be sought and as such, a contribution would not meet the relevant tests for being imposed. Furthermore, the Applicant is proposing to transfer additional land to the ownership of the Council for inclusion within the LNR (see above) which was previously accepted by the Inspector as being of significant benefit to ecology conservation and enjoyment. As such, this land transfer is considered sufficient in lieu of a financial contribution.

### **i) Contamination**

Owing to the previous use of the site, there is the potential for contaminants to be present. To ensure that the land is appropriate for the intended use, and to prevent any undue risk to human health or controlled waters (including the LNR), it is considered appropriate to secure a scheme of contamination investigation and, where necessary, remediation by condition. This approach was also taken in respect of the extant outline permission. On this basis, the proposal is considered to be in accordance with Policy PP20 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP33 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded weight at this time;

## **6 Conclusions**

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- the principle of residential development on the application site has already been established through the existing and emerging allocations within the Local Plan, and the granting of outline planning permission under application reference 14/00857/R4OUT, in accordance with Policy SA5.4 of the Peterborough Site Allocations DPD (2012) and emerging Policy LP39.3 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded some weight at this time;
- the layout, density and design of the proposal would not result in unacceptable harm to the character, appearance or visual amenity of the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policy PP2 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP16 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded some weight at this time;
- the biodiversity interests in and near to the site can be adequately conserved, mitigation or compensated for, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), paragraph 118 of the National Planning Policy Framework (2012) and emerging Policy LP28 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time;
- the proposal would provide adequate parking provision, safe access/connectivity and would not result in undue harm to the surrounding public highway network, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011), Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP13 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded some weight at this time;
- the proposed layout would not give rise to unacceptable harm to the amenities of neighbouring occupants and would provide an acceptable level of amenity for future occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011), Policies PP3 and PP4 of the Peterborough Planning Policies DPD (2012) and emerging Policy LP17 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time;
- adequate management of surface and foul water would be secured to ensure no increased flood risk either on the site or elsewhere, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP32 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time;
- the proposal would ensure that no undue harm results to potential undiscovered buried heritage assets, in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012), paragraph 128 of the National Planning Policy Framework (2012) and emerging Policy LP19 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded limited weight at this time;
- financial and other contributions towards the infrastructure demands arising from the proposed development are to be secured, in accordance with Policy CS13 of the Peterborough Core Strategy DPD (2011) and emerging Policy LP14 of the Peterborough Local Plan 2016-2036 (Submission Version) which may be afforded weight at this time; and

- any contaminants present within the site can be adequately remediated to ensure that no undue risk is posed to human health or controlled waters, in accordance with POLICY PP20 of the Peterborough Planning Policies DPD (2012) and emerging POLICY LP33 of the Peterborough Local Plan 2016-136 (Submission Version) which may be afforded weight at this time.

## **7 Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** (to secure public open space, affordable housing and transfer of additional land to the LNR), to receipt of no unresolvable objections from the City Council's Pollution Control Officer in respect of noise impact upon the amenities of future occupants and any associated necessary small layout changes, and subject to the imposition of the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- C 2 The development hereby permitted shall be carried out in accordance with the following drawings:

- Location Plan (drawing number 40928 / 002 Revision A)
- Site Plan (drawing number 40928 / 004 Revision K)
- Technical Site Layout (drawing number 40928 / 031 Revision E)
- Plots 01-02 34-35 - Drayton/Derwent A0 - pair (drawing number 40928 / 005)
- Plots 03-04 09-10 42-43 51-52 - Epping A0 - pair (drawing number 40928 / 006 Revision A)
- Plots 05-06 - Mayne B0 - pair (drawing number 40928 / 007)
- Plots 07-08 - Mayne A0 - pair (drawing number 40928 / 008)
- Plots 11-12 60-61 - Thirlmere B0 - pair (drawing number 40928 / 009 Revision A)
- Plots 13-14-15 - 2b4p M4(2) (drawing number 40928 / 010 Revision A)
- Plots 16-17 - H74.2b4p.CT (drawing number 40928 / 011)
- Plots 18-19 - 2b4p M4(2) (drawing number 40928 / 012)
- Plots 20-21 28-29 - 3b5p M4(2) (drawing number 40928 / 013 Revision A)
- Plots 22-24 - 2b4p M4(2) H68.2b4p.KR (drawing number 40928 / 014 Revision A)
- Plots 25-27 - 3b5p M4(2) (drawing number 40928 / 015 Revision A)
- Plots 30-31 - H75.2b4p.SE H68.2b4p.KR (drawing number 40928 / 016 Revision A)
- Plots 32-33 - 3b5p M4(3) (drawing number 40928 / 017)
- Plots 36 37 53 54 63 - Earlswood A0 (drawing number 40928 / 018 Revision A)
- Plots 38 56 67 - Witton A0 (drawing number 40928 / 019 Revision A)
- Plots 39 59 - Derwent A0 - Handed (drawing number 40928 / 020 Revision A)
- Plots 44-45 65-66 - Bryce A0 and B0 (drawing number 40928 / 022 Revision A)
- Plots 46-48 - Mayne A0 (drawing number 40928 / 023 Revision A)
- Plots 40-41 49-50 - Mayne-Drayton A0 (drawing number 40928 / 024 Revision A)
- Plot 54 - Laneshaw - Handed (drawing number 40928 / 025 Revision A)
- Plots 57 - Buttermere A0 (drawing number 40928 / 026 Revision A)
- Plots 58 62 - Derwent A0 (drawing number 40928 / 027 Revision A)
- Plot 64 - Foxcote A0 (drawing number 40928 / 028 Revision A)
- Garages (drawing number 40928 / 029)
- Bin Store - Plots 13-14 (drawing number 40928 / 036)

Reason: For the avoidance of doubt and in the interests of proper planning.

- C 3 The materials to be used in the construction of the dwellings and garages hereby permitted shall accord with the details shown on drawing numbers 40928 / 033 Revision B 'Materials Distribution Plan' and 40928 / 034 Revision A 'External Materials'.

Reason: In the interests of the visual amenity of the locality, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 4 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with paragraphs 128 and 141 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition because archaeological investigations will be required to be carried out before development begins.

- C 5 No development shall take place until details of the proposed finished ground and building slab levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved levels.

Reason: In the interests of the visual amenity of the locality and to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP2 and PP3 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition as details of the levels are required prior to any groundworks commencing.

- C 6 No development other than groundworks and foundations shall take place until details of the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping details shall include, but not limited to:

- Planting plans including retained trees, species, numbers, size and density of planting;
- An implementation programme for the planting to the public open space areas;
- Hard surfacing of all vehicular, parking, pedestrian and cycle areas (including demarcation of spaces where appropriate); and
- Refuse/bin collection points.

The hard landscaping (hard surfacing, external lighting and refuse/bin collection points) shall be provided in accordance with the approved details prior to first occupation of the dwelling to which they relate or first public use of the highway/driveway to which they relate, whichever is appropriate. The soft landscaping shall be provided in accordance with the approved details no later than the first planting season following occupation of the dwelling to which it relates or in accordance with the approved implementation programme in relation to the public open space, whichever is appropriate.

Any trees, shrubs or hedges forming part of the approved landscaping scheme for the public open space areas that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual amenity of the locality, to provide usable public open space and to promote biodiversity, in accordance with Policies CS16, CS19 and CS22 of the Peterborough Core Strategy DPD (2011) and Policies PP2, PP14 and PP16 of the Peterborough Planning Policies DPD (2012).

C 7 Prior to first occupation of any dwelling hereby permitted, a Landscape Management Plan for the areas of public open space shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include the following details:

- Long term design objectives;
- Management responsibilities; and
- Maintenance schedules.

The management plan shall be implemented in accordance with a timetable contained therein and as approved.

Reason: In the interests of the visual amenity of the locality, to provide usable public open space and to promote biodiversity, in accordance with Policies CS16, CS19 and CS22 of the Peterborough Core Strategy DPD (2011) and Policies PP2, PP14 and PP16 of the Peterborough Planning Policies DPD (2012).

C 8 Prior to the commencement of any development, including ground clearance/enabling works, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to:

- Hours of working and deliveries, including hours of arrival by all contractors;
- Haul routes to and from the site;
- Parking, turning, loading and unloading areas for all delivery vehicles;
- Materials and equipment storage areas;
- Site compound and welfare facilities;
- Construction and contractor parking;
- Temporary protective fencing details;
- Wheel cleansing/washing facilities which all vehicles visiting the site must pass through before exiting onto the adopted public highway;
- Measures to control noise; and
- Measures to control the emission of dust.

The development shall be carried out in strict accordance with the approved CMP.

Reason: In the interests of highway safety and in order to preserve the amenities of neighbouring occupants, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP3 and PP12 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no construction activities take place which may pose a danger/risk to highway safety or neighbour amenity.

C9 Prior to the commencement of development, other than ground/enabling works, details of the access from Guilsborough Road, including the tie between the existing carriageway and the new site access, shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied until the works have been completed in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no works take place that may pose an undue risk to highway safety.

C10 Notwithstanding the submitted drawings and prior to the commencement of development in relation to Plots 001-012, details of a pedestrian/cycle route of no less than 3 metres in width linking the development hereby permitted with the existing Green Wheel Cycleway along with a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The route shall be implemented in accordance with the approved plans and timetable.

Reason: In order to promote more sustainable methods of travel to/from the site and improve connectivity, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C11 No dwelling hereby permitted shall be occupied before the highway(s), including carriageway and footway, linking that dwelling to the existing public highway have been completed to base course/binder level. Thereafter, and no later than completion of the final dwelling within the development, the highway(s) linking all dwellings to the existing public highway shall be completely finished.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C12 No dwelling hereby permitted shall be occupied until the areas for the parking and turning of vehicles associated with that dwelling, as shown on drawing number 40928/031 Revision E, have been laid out and surfaced in accordance with the details secured under condition C6 above. Thereafter, those areas shall be retained solely for the parking and turning of vehicles in connection with the dwelling to which they relate in perpetuity.

Reason: In the interests of highway safety, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

C13 Prior to first use of any highway or private driveway hereby permitted, the following visibility splays shall be provided:

- 2.4 metres x 25 metres (measured from the channel line and along the back edge of the carriageway) vehicle-to-vehicle visibility splays for all junctions within the proposed adoptable highway(s);
- 1.5 metre x 1.5 metre (measured from and along the back edge of the highway, including any footways/cycleways) vehicle-to-pedestrian visibility splays at either side of all private driveways.

The visibility splays shall be kept clear of any obstruction above a height of 600mm from ground level in perpetuity.



Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

C14 Prior to the commencement of development, an Ecological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall incorporate the recommended measures identified in the submitted 'Ecological Appraisal' (reference 6467\_R\_APPR\_06\_05\_14) and letter from BSG Ecology (dated 7 December 2017) and include, but not limited to:

- a) A Great Crested Newt Strategy;
- b) A ditch survey and Water Vole Mitigation Strategy;
- c) Details of external lighting to all proposed adoptable highways and private shared driveways to prevent light pollution for bats;
- d) Details of dealing with hedgehogs, invertebrates etc. found on site;
- e) Details of protective and boundary fencing which shall accord with the principle shown on drawing number 40928 / 030 Revision B 'Boundary Treatments Plan';
- f) Details for preventing pollution from the site being transferred to the adjacent habitats and lake; and
- g) A timetable for the implementation of the Ecological Mitigation Strategy and measures contained therein.

The Ecological Mitigation Strategy shall be implemented as approved including the timetable agreed.

Reason: In order to conserve, mitigate and compensate for biodiversity interests in and near to the site, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP16 of the Peterborough Planning Policies DPD (2012) and paragraph 118 of the National Planning Policy Framework (2012). This is a pre-commencement condition as the mitigation measures are required to be carried out during the period of construction, including site clearance works.

C15 No development other than groundworks/foundations shall take place until a scheme of measures to promote and enhance biodiversity, including the provision of bird nesting and bat roosting boxes, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme of measures prior to first occupation of the dwelling to which they relate or first use of the area to which they relate, whichever is appropriate.

Reason: In order to conserve, mitigate and compensate for biodiversity interests in and near to the site, in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011), Policy PP16 of the Peterborough Planning Policies DPD (2012) and paragraph 118 of the National Planning Policy Framework (2012). This is a pre-commencement condition as the mitigation measures are required to be carried out during the period of construction, including site clearance works.

C16 Prior to the commencement of development, details of the surface water drainage for the site, which shall accord with the principle set out within the submitted 'Flood Risk Assessment and Drainage Strategy' (dated March 2018, reference FW1457/FRA/001-v3), shall be submitted to and approved in writing by the Local Planning Authority. The details shall include, but not limited to:

- Written confirmed from the North Level Internal Drainage Board for the rate of surface water discharge to their system;

- Clarification as to how flooded volumes will be managed on site through, but not limited to, overland flow and exceedance routes;
- Clarification as to how surface water will be conveyed to the swale to the north-eastern corner of the site;
- An updated maintenance plan to include the swale, detention basin and gullies;
- Confirmation of who will maintain the drainage assets on-site, including all unadoptable shared components such as the permeable paving, swale and basin;
- Technical details of all drainage assets including cross sections of the swale, basin and permeable paving; and
- A timetable for the implementation of the surface water drainage within the site.

The surface water drainage shall be implemented in accordance with the details approved, including the timetable agreed.

Reason: To ensure that surface water is adequately dealt with so as to not pose an unacceptable flood risk, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011). This is a pre-commencement condition as the groundworks will be affected directly by the drainage infrastructure.

- C17 Prior to the commencement of development other than ground/enabling works, a scheme (including phasing) for the provision of mains foul water drainage including on- and off-site connections shall be submitted to and approved in writing by the Local planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To ensure that foul water is adequately managed so as to not pose an unacceptable flood risk, in accordance with Policy CS22 of the Peterborough Core Strategy DPD (2011). This is a pre-commencement condition as the groundworks will be affected directly by the drainage infrastructure.

- C18 a) No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person and shall assess any contamination on the site, whether or not it originates on the site. It must also include:

(i) a survey of the extent, scale and nature of contamination; and

(ii) an assessment of the potential risks to:

- human health;
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
- adjoining land;
- groundwaters and surface waters;
- ecological systems; and
- archaeological sites and ancient monuments.

b) No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remediation options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

c) The remediation works shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority for approval.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012). This is a pre-commencement condition to ensure that no groundworks disturb contamination which may pose a risk to human health or controlled waters.

C19 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and Policy PP20 of the Peterborough Planning Policies DPD (2012).

C20 Notwithstanding the submitted drawings/documents and prior to first occupation of any dwelling hereby permitted, a detailed noise assessment and associated mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and before the dwelling to which they relate is first occupied.

Reason: To afford future occupants with an acceptable level of amenity, in accordance with Policy PP4 of the Peterborough Planning Policies DPD (2012).

If the required Section 106 legal agreement is not completed within a reasonable period, then the Committee delegates the issuing of a notice of refusal to the Director of Growth and Regeneration on the grounds that the development has failed to adequately mitigate its impacts.

Copies to: Cllrs. Steve Allen and Richard Brown

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