

09/01155/FUL: CONSTRUCTION OF 10 TWO-BED AND 4 ONE-BED APARTMENTS IN THREE BLOCKS (PART RETROSPECTIVE) AT 157 - 161 FLETTON AVENUE, FLETTON, PETERBOROUGH.

VALID: 15 OCTOBER 2009

APPLICANT: HERITAGE HOMES

AGENT: H A ARCHITECTURAL

REFERRED BY: CLLR RUSH

REASON: OUT OF CHARACTER WITH THE AREA, VISUAL IMPACT, REDUCED PRIVACY AND LIGHT LEVELS FOR NEIGHBOURS.

DEPARTURE: NO

CASE OFFICER: AMANDA MCSHERRY

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The impact of the development on the street scene
- The impact of the proposal upon the residential amenities of adjoining occupiers
- Outline planning permission was granted under 05/0149/OUT for 14 flats with siting and access approved. The remaining reserved matters were approved in 2009 under 08/01504/REM but a legal challenge was made on the basis that the siting of the blocks in the reserved matters submission was different to that approved under the outline planning permission.

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)

- DA1** Development should be compatible with its surroundings, with no adverse visual impact.
- DA2** Development should have no adverse impact on the amenities of occupiers of nearby properties.
- H7** Residential development on sites not allocated for housing should make efficient use of the site in terms of density and layout and respect the character and layout of the surrounding area
- H15** New residential development should be undertaken at the highest net density that is compatible with the surrounding area
- H16** Residential development should provide satisfactory levels of amenity for future residents
- T1** New development should provide safe and convenient access to and from the site
- T9** High quality off-street cycle parking should be provided
- T10** Maximum car parking standards
- LNE9** Development should make adequate provision for landscaping of the site
- LT1** Open space should be provided for new residential development either on site or by way of off-site contribution to existing open space in the locality.

- LT2** Planning obligations should be sought to secure financial contributions for off site open space to meet the needs of the development.
- IMP1** Provision should be secured for all additional infrastructure, services, community facilities, and environmental protection measures, which are necessary as a direct consequence of the development.

Material Planning Considerations

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

1. PPS 3 Housing- Advises that good design is fundamental to the development of high quality new housing. (Reiterates advice also set out in PPS 1)
2. PPS 13 - Transport
3. 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.

4. Peterborough Residential Design Guide March 2002
5. Planning history – see below

3 DESCRIPTION OF PROPOSAL

The proposal is for the provision of 14 apartments. 10 to be provided in the two blocks of two and a half storey high buildings positioned at the frontage of the site facing on to Fletton Avenue. 4 to be provided in a two storey high block positioned to the rear of these. Access to the site would be via a central access point from Fletton Avenue to a central courtyard containing 14 car parking spaces, bin storage areas and small areas of grass landscaping. Ten of the apartments would have two bedrooms, and four one bedroom.

4 DESCRIPTION OF SITE AND SURROUNDINGS

Building works have commenced on site, but have now stopped in view of the legal challenge to the approval of reserved matters issued under 08/01504/REM. The site was previously vacant and before that used as a second hand car sales garage with parking. The area surrounding the site is predominately two storey residential housing.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
08/01504/REM	Construction of 10 x 2 bed and 4 x 1 bed apartments in 2 blocks	19.06.2009	Permitted
08/00892/REM	Erection of 4 one-bed and 10 two-bed apartments in two blocks (amended elevations rec'd 8/9/2008)	02.10.2008	Refused
08/00070/REM	Erection of 10 x 2 bed and 4 x 1 bed apartments in 2 blocks	27.05.2008	Withdrawn
05/01449/OUT	Residential development revised scheme comprising of 14 flats in 3 blocks with associated parking, communal open space including access and sitting	21.02.2006	Permitted

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objections subject to the imposition of conditions and informatives.

Historic Environment Manager – Comments awaited.

Head of Environmental Health Services – Comments awaited.

EXTERNAL

Senior Architectural Liaison Officer – Comments awaited

NEIGHBOURS

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

- The development is out of character with the area
- No site appraisal has been submitted as set out in the Peterborough Residential Design Guide (the RDG)
- The bay windows project forward of the building line and are too close to the pavement and may cause a hazard
- Trees would have to be removed to accommodate Block A
- The proposal should be looked at the by the Fire and emergency services
- There will be an increase in crime and disorder with so many units for rent
- Poor outlook for ground floor occupants of Block C – one metre to the boundary
- Overdevelopment of the site – too dense when compared to existing development
- Unacceptable visual impact
- Buildings too high, overbearing impact
- Plans show no fire escapes or heating ducts
- There should be a communal TV/satellite system
- Too close to existing properties
- Loss of privacy and light to the adjoining neighbours
- Would create extra parking and traffic problems in the immediate area
- Refuse collection areas not practical as they could block parking spaces and vice versa and could result in problems of smell and vermin
- Drainage – soakaways are ineffective and neighbouring properties may get flooded
- Planning history of refused and quashed planning permissions so this should not be allowed
- Noise pollution
- Building works have already commenced on site, the buildings should be demolished
- Buildings are forward of the established building line and adjacent properties
- Loss of property values

- Houses would be more appropriate than flats
- Damage has already been caused by construction works
- Insufficient on site amenity space proposed and there should be clothes drying areas
- Flats are not appropriate in this area of medium and small semi detached houses
- Impact on neighbouring trees
- Contrary to planning policies and guidance
- Agent did not carried out pre-application consultation with community
- There will be reduced visibility for vehicles entering Fletton Avenue from Manor Drive
- The development would result in on street parking causing more congestion and road safety issues
- No landscaping is proposed
- No lighting details are submitted
- No hard landscaping details are submitted
- Internal layouts differ between plans and may not comply with building regulations
- Door steps prevent disabled ground floor access
- Flues appear sited on or close to boundaries or may interfere with access
- Parked vehicles could prevent ground floor windows being opened

COUNCILLORS

Cllr Rush objects on the grounds that the proposal would result in reduced privacy and light levels for neighbouring sites, be visually intrusive and out of character with the surrounding houses and street scene, be positioned 1.5m forward of the established building line, be higher than neighbouring properties and have 14 car parking spaces served off a central courtyard rather the recommended 10 quoted in the guidance.

7 REASONING

a) Introduction

The key issues with regard to this proposal are the planning history of the site, the proposed design and appearance, and its impact upon the residential amenities of the surrounding residents.

b) Planning History

Outline planning permission was granted in 2006 for 14 flats. The siting of the flats and access also formed part of that approval. Following the withdrawal and refusal of subsequent reserved matters applications in 2008, a third application for the reserved matters, planning reference 08/01504/REM, was approved by Planning Committee earlier this year. This decision was challenged by way of an application for leave to have the decision judicially reviewed and this leave was granted. The Council has accepted the grounds for legal challenge put forward and the outcome of this has had the effect of quashing this planning permission.

Therefore this current full planning application has been submitted, which is very similar in nature to the previous reserved matters application reference 08/01504/REM, and based upon similar footprints to those approved at the outline application.

This application therefore “stands alone” and the Local Planning Authority are entitled to consider matters afresh. This being said, the granting of the outline planning permission in February 2006 with siting and access being approved is a material consideration to the determination of this application and the LPA should consider what material differences may have occurred with regard to the proposal, planning policy and the physical site and surroundings since that time.

c) Design and layout

Three blocks of accommodation are proposed on site to provide the 14 apartments.

Design

There are two blocks of accommodation proposed on the site frontage facing Fletton Avenue (Blocks A and B). Both of these are to be two and a half storey blocks, with velux style roof lights to provide light to the accommodation within the roof space.

The design and visual appearance of these two blocks in the street scene would be similar to a pair of semi-detached properties rather than flat blocks, which is characteristic of the surrounding area. These blocks are positioned further forward of the adjacent properties building line, however this is not considered to result in an adverse visual impact on the street scene.

Bay window detailing has been introduced, which is also similar to some surrounding properties. The heights of these frontage Blocks would be around 1m higher than the adjacent two storey residential properties. The design and appearance of these two blocks of accommodation was improved during the three previous reserved matters applications, to make them more in keeping with the character of the surrounding area. The additional height of these new buildings and the proposed velux windows are not characteristic of the surrounding area. However, on balance, these differences are not in this instance considered to be sufficiently harmful to justify refusal of the proposal.

Block C to the rear of the site which backs onto Garrick Walk, would be a two storey high block and contain 4, 2 bedroomed apartments. A gabled appearance is proposed, similar in appearance to the adjacent properties. The scale and appearance of this block is considered to be acceptable and not out of keeping with surrounding development.

On balance, the visual appearance of the development is considered to be acceptable and not out of character with the surrounding area in accordance with Policies DA1 and DA2 of the Local Plan.

Car and cycle Parking

The car parking is to be located within a private central courtyard area on the site. It will be screened from the street scene by the front two blocks of accommodation and so will not be unacceptably visually dominant in the street scene. Whilst smaller car parking courts are generally recommended, the car parking proposed in this instance would have a high degree of natural surveillance from the surrounding apartments and there are no highway safety concerns in respect of this level of traffic using the access. On this basis, the proposed car parking courtyard serving 14 cars is considered to be acceptable in this instance. The level of car parking proposed 14 spaces is acceptable and in line with the maximum standards in the Peterborough Local Plan and Policy T10. The provision of any additional car parking on site would be contrary to this planning policy. The Residential Design Guide (RDG) recommends that courtyard parking be limited to no more than 10 spaces, however, taking account that the Council has previously granted an outline planning permission for 14 flats, there is no other practicable way of delivering the parking and it is not desirable to have less than 14 spaces (one per flat), the proposal is considered acceptable.

Cycle stand provision will be required and this will be covered by the imposition of a condition.

Open Space

Small areas of grass are to be provided on site for the use of residents. These areas could be used by residents to sit outside in summer or to hang their washing outside. As only one and two bedroom apartments are proposed on site, the lack of on site amenity space is not considered to be unacceptable, as it is unlikely to be required to serve the needs of families. The RDG advises that 25 metres per flat should be provided if communal garden areas are proposed. In this instance the total area of the small open space areas within the site are 179 square metres, approximately half the area recommended in the RDG. It is recognised that the areas of open space are not sufficient in themselves to meet the open space needs generated by this development. Additionally, some of this space will be taken by the provision of cycle stands. Therefore as per the previous outline permission, a S106 contribution would be sought to spend on enhancing nearby open space provision in order to meet the needs of future residents.

d) Residential Amenity

This application proposes the same number of residential units, contained within the same general configuration of three blocks of accommodation on site, as the previously approved outline and reserved matter applications.

Impact on light levels

Blocks A and B are positioned between the two storey properties of No.163 and No.155 Fletton Avenue.

Both of these neighbouring properties have window/door openings on their side elevation facing the sides of blocks A and B. Whilst there will be a reduction in light reaching these side windows and doors from the proposed development, the impact is not considered to be so harmful as to warrant refusal of the proposal, particularly as the windows affected do not appear to serve any main habitable rooms. The positioning and heights of Blocks A and B on the site frontage and their relationship with the adjacent properties would not significantly reduce the light levels previously enjoyed by these properties.

Block C is to be two storey in height, similar to the properties on Garrick Walk. This block would be positioned to the north of the properties on Garrick Walk, therefore there would be no harmful overshadowing impact or unacceptable impact on their sunlight levels. There will be some limited shadowing to the bottom of neighbouring gardens of 155 and 163 Fletton Avenue for a short period after sunrise and before sunset. This is not significant enough to warrant refusal of the application.

The RDG sets out prescriptive guidance (at Chapter 4) with regard to sunlight and daylight levels and recommends that applicable calculations be applied according to orientation of buildings for the “worst” time of year for sunlight i.e. winter equinox. Whilst the proposed blocks do not adversely affect sunlight and daylight levels to existing neighbouring property, the distance between the opposing blocks is less than the optimum recommended to achieve solar gain. The distance between the blocks is approximately 16 metres. In order to achieve the desired solar gain to block C in the winter, the distance between the blocks should be approximately 21 metres. However, it must be reiterated that the RDG is guidance only and not development plan policy. Additionally, Section 4.10 states that whilst housing layouts should be designed to maximise daylight and sunlight levels, this should not be at the exclusion of other considerations. In this instance, it is considered that the separation distance between the proposed blocks is acceptable.

Similarly, the guidance recommends that living room windows face south or near to south. The living room windows in the proposed blocks face north. However, this helps to preserve privacy to neighbouring properties as living room windows facing south would result in potentially greater overlooking to neighbouring gardens.

Privacy

None of the three blocks of accommodation have any side windows facing directly into neighbouring sites, therefore there will be no direct overlooking from side windows into any neighbouring sites. Blocks A and B on the site frontage have the living room windows positioned facing on to the road frontage with bedrooms and bathroom windows on the rear elevation. There will be oblique overlooking from these rear upper floor bedroom windows into the neighbouring gardens. However this is considered no more intrusive than the existing situation where neighbouring two storey semi-detached properties already have upper floor windows that overlook into each other’s garden space.

Block C would be positioned at right angles to the properties on Garrick Walk and Manor Avenue and the windows on the rear elevation are to be bedroom, bathroom and kitchen windows with the main habitable rooms on the front facing the internal courtyard. There would be very oblique overlooking from upper windows into the front and rear garden spaces of neighbouring sites, however again this is not considered to be any more harmful than this existing oblique overlooking of neighbouring sites that already exists.

The window to window distances between the front and rear blocks on site, at 16 metres are less than the recommended 21 metres. However, this relates to the more usual relationship of the rear garden to housing backing into the rear garden of other housing i.e. a back to back relationship. Whilst this proposal involves habitable windows facing each other, there is no issue of overlooking into private garden as the internal facing windows overlook the parking and communal areas. It is accepted that flatted development usually cannot provide the same levels of privacy where internal relationship is concerned as can “traditional” housing development. Increasing the window to window distances would result in the loss of the proposed front garden areas and the moving the two front blocks closer to the road. This would not be desirable and would have a negative visual impact on the street scene. In view of this, and as previously accepted by the previous permissions, the sub-standard window to window distances between the blocks of accommodation on site would on balance be considered to be acceptable and would be a matter for future occupiers to consider whether they were willing to accept.

The existing rear boundary wall to Garrick Walk is proposed to be retained and repaired where necessary, with 1.8m close boarded fencing proposed to the side boundaries. These boundary treatments are considered to be acceptable to protect the privacy and amenity of adjacent sites. It is not proposed to take any form of access to the site from Garrick Walk.

Noise disturbance

In respect of possible noise disturbance to surrounding neighbours. The proposal is for a residential use in a residential area, therefore they are considered to be compatible land uses. Whilst the density of development and hence the number of people living on this site would be greater than on neighbouring sites, this in itself would not generate unacceptable noise levels for neighbouring residents. The car parking proposed on site is considered to be acceptable and of no more of a disturbance than the previous car sales garage use. Therefore it is not considered any noise disturbance for neighbouring properties generated as a result of this proposed development would be of a level that would be unacceptable in planning terms or contrary to Policy DA2 of the Local Plan.

Bin storage

Two bin storage areas are proposed on site to accommodate the needs of the development. A private refuse collection company would collect the refuse from within the site to overcome the need to provide a bin collection point on the site frontage, this would be required if Peterborough City Council were to collect the site's waste. I understand this has been done to address residents' previous concerns about unsightly bins being placed on the site frontage on collection days, and the potential problems with residents not returning them to the rear storage area after collection. The siting and design of the bin stores on site are considered to be acceptable in planning terms. It is not considered that their location would result in unacceptable disturbance or harm to the amenity of neighbouring sites, or that they would be more subject to odour and/or vermin problems compared to any other arrangement. The bin storage areas proposed are therefore considered to be in accordance with the requirements of Policy DA2 of the Local Plan.

e) **S106**

It is recognised that the areas of open space proposed on site are not sufficient to meet the open space needs generated by this development. Therefore as per the previous outline permission, a S106 contribution would be sought to spend on enhancing nearby open space provision to meet the needs of future residents. This is in accordance with Policies LT1 and LT2 of the Local Plan.

This requirement accords 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.

f) **Miscellaneous**

Many of the points raised by objectors are covered in the report above. The following are comments on those points raised which may not be covered above:

- The requirement for site appraisals has been overtaken by the submission of Design and Access Statements. The Local Planning Authority (LPA) considers there is sufficient information in this regard to determine the application.
- The bay windows are located sufficiently set back from the public highway so as not to cause any hazard. The Local Highway Authority (LHA) has not raised objections in this regard.
- The LPA cannot discriminate between tenures and it cannot be assumed that there will be more crime associated with rented property.
- Matters such as central heating ducts would be considered under building regulations and are not normally an issue for consideration under a planning application. The applicant is not proposing external fire escapes. Any future requirement for this would necessitate submission of a separate planning application.
- The drainage of the site will need to be approved under the building regulations.
- The history of the site has been taken account of when considering the application.

- The LPA is aware that works have taken place on site. The determination of the application must be made with regard to the submitted details. If works are retrospective this is not a material planning consideration. It is not prudent for the LPA to take any action (whatever that might be) until this planning application is determined.
- Loss of property values is expressly not a material planning consideration.
- If any damage has occurred due to works that have taken place, this is a private matter between the parties concerned and not a planning issue.
- Carrying out public consultation on a scheme of this size prior to submission of an application is desirable but not mandatory.
- Soft and hard landscaping (surfacing) and lighting are matters which are proposed to be covered by imposition of conditions.
- Compliance of internal layouts with building regulations is not a planning matter.
- Provision of steps to flats will need to comply with building regulations.
- It is not considered that flues will interfere with access to the site
- The ground floor windows to the rear of blocks A and B are one metre above ground level. There is also a little flexibility with regard to parking as the spaces are 5 metres in length. It is not considered that the opening of windows will be an issue.

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 weighting against relevant policies of the development plan and specifically:

The 14 apartments are considered to be compatible with their surroundings with no significant adverse impact on the amenities of occupiers of nearby dwellings. The proposal is therefore in accordance with Saved Policies DA1, DA2, LNE9, T1, T9, T10 and LNE9 of the Peterborough Local Plan 2005 (First Replacement). There is some conflict with policies H7, H15 and H16 in that the density of the development is higher than the immediate surrounding residential densities. However, this is considered acceptable because the application provides for a front elevation design to Fletton Avenue that is in keeping with the character of nearby properties and the density of the development does not significantly adversely affect neighbouring residents with regard to loss of sunlight, daylight and privacy. Additionally, the Local Planning Authority has taken into account the fact that outline planning permission was granted for 14 flats in 2006. There is some conflict with policy H16 in that the amount of private amenity space is substandard but this is being off set by provision of a contribution via a Section 106 agreement towards off site provision.

With regard to the Peterborough Residential Design Guide, this does not form part of the Development Plan but is a material consideration. The proposal does not comply with all aspects of the guidance, in particular distances between opposing windows and amenity space provision on site. The Local Planning Authority considers that taking all material considerations into account and by the imposition of conditions where necessary, the proposal as a whole is acceptable. The weight given to the layout/space standards set out in the Design Guide is taken against the fact that this document was adopted as planning guidance by PCC in 2002, ahead of the publication of PPS 1 (January 2005) and PPS 3 (November 2006) which place greater emphasis on achieving higher density levels especially in urban locations.

9 RECOMMENDATION

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 open space needs of the development, the Head of Planning Services be authorised to grant planning permission 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 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 Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for a scheme of remediation measures. This scheme of remediation must detail how this unsuspected contamination shall be dealt with.**

Reason: To ensure that the development complies with approved details in the interests of protection of Human Health and Controlled Waters, in accordance with Planning Policy Statement (PPS23 Planning and Pollution Control) and Policies DA15, DA16 and DA17 of the Peterborough Local Plan (First Replacement).

- C3 No apartment shall be occupied until full details of all proposed tree and shrub planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree and shrub planting shall be carried out in accordance with those details and at those times.**

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

- C4 Prior to the occupation of the first apartment, or within other such period as may be agreed in writing with the Local Planning Authority, details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. These lights shall be erected prior to the first occupation of the development, unless otherwise agreed in writing with the Local Planning Authority and thereafter 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).

- 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 apartments shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.**

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

- C7 The vehicular access hereby approved shall be un gated.**

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

- C8 Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.**

Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement).

- C9 Lighting shall be arranged so that no danger or inconvenience is caused to users of the adjoining public highway. Details of the proposed lighting shall be submitted to the Local Planning Authority and approved in writing prior to its first use.**
Reason: To avoid glare/dazzle which could lead to danger to highway users, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement).
- C10 Notwithstanding the details shown on the approved plans, prior to the commencement of construction of the car parking areas, detail of the proposed parking arrangements (including the spaces for the 6 'blue badge' bays) shall be submitted to and approved in writing by the Local Planning Authority. The apartments shall not be occupied until the parking and turning areas have been drained and surfaced or other steps as may be specified in accordance with details submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles, in connection with the use of the apartments. The blue badge bays shall be allocated to the accessible dwellings and shall be marked out as blue badge bays by the management company as they become required.**
Reason: In the interest of Highway safety, in accordance with Policy T10 of the Peterborough Local Plan (First Replacement).
- C11 The access road/driveway shall be of a minimum width of 5m for a distance of 10m from the edge of the existing carriageway.**
Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Peterborough Local Plan (First Replacement).
- C12 The height of any front boundary enclosure shall not exceed 600mm above existing footway level.**
Reason: In the interests of Highway safety, in accordance with Policy T1 of the Peterborough Local Plan (First Replacement).
- C13 Prior to the access being brought into use, the visibility splays of the following dimensions 2.4m x 90m shall be provided at the junction of the access road with the public highway in accordance with the approved plans.**
Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Peterborough Local Plan (First Replacement).
- C14 Before the new access is brought into use, visibility splays shall be provided on both sides of the access in accordance with approved plan (439:4D) and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the back of the footway.**
Reason: In the interests of Highway safety, in accordance with Policies T1 and T8 of the Peterborough Local Plan (First Replacement).
- C15 No apartment shall be occupied until space has been laid out within the site for a minimum of 14 bicycle to be parked, and that area shall not thereafter be used for any purpose other than the parking of cycles.**
Reason: In order to protect and safeguard the amenity of local residents or occupiers in accordance with Policy T9 of the Peterborough Local Plan (First Replacement).
- C16 Prior to the occupation of any of the flats a scheme to provide communal access for each flat to satellite and/or television reception will be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented in full and retained as such thereafter.**
Reason: In order to prevent a proliferation of such equipment to the detriment of the visual appearance of the development, in accordance with Policies DA1 and DA2 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 the open space contributions to meet the needs of the development, 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 Rush, Walsh, Cereste

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