

09/01358/FUL: CONSTRUCTION OF 16 X 2 BED HOUSE, 6 X 3 BED HOUSES AND 18 X 2 BED FLATS IN 2 BLOCKS, WITH ASSOCIATED INFRASTRUCTURE AT LAND TO THE REAR OF 1 - 43 SOUTH VIEW ROAD AND TO THE REAR OF 997 - 1013 LINCOLN ROAD, PETERBOROUGH

VALID: 02 DECEMBER 2009

APPLICANT: LONGHURST HOMES

AGENT: LARKFLEET HOMES

REFERRED BY: CLLR NICK SANDFORD

REASON: LOSS OF RESIDENTIAL AMENITY FOR NEIGHBOURING PROPERTIES BY OVERLOOKING AND ADDITIONAL TRAFFIC ONTO SOUTHVIEW ROAD WHICH IS ALREADY BUSY AND CONGESTED WITH PARKED CARS

DEPARTURE: NO

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Whether the principle of development is acceptable
- Impact on character and visual amenity of the area
- Impact on neighbouring residential amenity
- Traffic implications

The Head of Planning Services recommends that, subject to a S106 Agreement, the application is APPROVED

2 PLANNING POLICY

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

Development Plan Policies

Key policies highlighted below.

The Peterborough Local Plan (First Replacement)

- DA1 Townscape and Urban Design** - Seeks development that is compatible with or improves its surroundings, creates or reinforces a sense of place and would not have an adverse visual impact.
- DA2 The effect of a development on the amenities and character of an area** – Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.
- DA11 Design for security** - Planning permission will not be granted for a development unless vulnerability to crime has been satisfactorily addressed in the design, location and layout of the proposal.

- H7 Housing development on unallocated sites** - Housing development on unallocated sites should make efficient use of the site and respect the character of the surrounding area.
- H15 Residential Density** - Seeks the Highest residential density compatible with the character of an area, the living conditions of local residents, that is of good standard of design and that provides open space.
- H16 Residential design and amenity** - Seeks residential development if the following amenities are provided to a satisfactory standard; daylight and natural sunlight, privacy in habitable rooms, noise attenuation and a convenient area of private garden or amenity space.
- H21 Affordable Housing** - Seeks to secure 30% affordable housing provision for urban sites of more than 25 dwellings or 1 hectare; and village sites of 15 dwellings or 0.5 hectares.
- IMP1 Securing satisfactory development** - Planning permission will not be granted for any development unless provision is secured for all additional infrastructure, services, community facilities, and environmental protection measures, which are necessary as a direct consequence of the development.
- LNE9 Landscaping implications of development proposals** - Seeks retention and protection of trees and other natural features that make a positive contribution to an area; and adequate provision of landscaping of sites.
- LNE10 Detailed elements of landscaping schemes** - Seeks provision of a landscaping scheme suitable for the development, which should include where appropriate, the retention of landscape or ecological features, suitable new planting, protection and management of scheme, provision for natural ecological regeneration and the completion of planting by first occupation or development completion, whichever is sooner.
- LNE19 Protection of species** - Permission will not be granted for developments that would cause demonstrable harm to legally protected species. Where it is granted conditions or an obligation will be sought to help protect or relocate the population.
- LT1 Open space in new residential development** - Seeks provision of open space for developments of 9 or more dwellings.
- LT2 Off-site contributions towards the provision of open space for new residential development** - Permission for developments of 9 or more dwellings will be granted if the developer has first entered into an obligation to make a financial contribution towards open space needs if the development site is too small or needs could be more appropriately met off-site.
- T1 Transport implications of new development** - Seeks development that would provide safe and convenient access to site and would not result in an adverse impact on the public highway.
- T8 Connection to the existing Highway network** - Seeks development where vehicular access is on to a highway whose design and function is appropriate for the level and type of vehicular traffic likely to be generated.
- T9 Cycle parking requirements** - Seeks provision of high quality off-street cycle provision in accordance with approved standards.
- T10 Car and motorcycle parking requirements** - Planning permission will only be granted for development outside the city centre if it is in accordance with approved parking standards.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below:

Peterborough Housing Strategy: 2008 - 2011
Planning Policy Statement (PPS) 3: Housing

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.

3 DESCRIPTION OF PROPOSAL

The application seeks permission for the construction of 16 x 2 bed and 6 x 3 bed two storey houses with amenity areas provided in the form of terraces above car ports; and 18 x 2 bed flats in 2 three storey blocks with parking and open space. Access to the development is off South View Road. This is a revised application to a previous planning consent ref. 08/01613/FUL which seeks alterations to elevations and roof design.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is approximately 0.66ha and is a vacant brownfield site comprising a collection of garden land and garage blocks and in part was formerly occupied by commercial/industrial property. The garages are mostly redundant. The site is enclosed to the south, west, east and north east by residential properties, predominantly two storey terraced and to the north west by the Paul Pry Public House and Premier Inn (hotel).

5 PLANNING HISTORY

Application Number	Description	Date	Decision
09/01050/FUL	Construction of 2, 3 bed dwellings	03.12.2009	PER
08/01613/FUL	Erection of 40 dwellings and associated infrastructure	30.06.2009	PER
08/00440/REM	Residential development comprising of 42 dwellings	25.06.2008	PER
06/01242/OUT	Residential Development	20.12.2007	WDN
04/01864/OUT	Residential Development	08.04.2005	PER

INTERNAL**Head of Transport & Engineering:**

No objection in principle subject to the following being addressed [note that the points marked * are only relevant if the internal roads were to be adopted, which is not going to be the case. The points therefore can be disregarded] :

- a) Whilst adequate visibility splays are achievable at the access with South View Road some small revisions to the exact design are required to reflect the internal roads will be private rather than adopted
- b) Confirmation via submission of tracking plans required to demonstrate adequate turning for refuse and emergency service vehicles [Planning Officer comment – This information is awaited]
- c) * The off road parking space for Plots 2 and 3 that are parallel and adjacent to the footway should be re-orientated so that they are at 90 degrees to the footway [Planning Officer comment – This was a feature of the extant permission and should be retained so no change is proposed]
- d) * The access to Plots 4,5 and 6 is insufficient for a refuse vehicle to enter and turn around [Planning Officer comment - This was a feature of the extant permission and should be retained so no change is proposed. It would be inappropriate for a refuse vehicle to entre this space or to require space to be made for it]
- e) The dropped kerb to plot 1 should be increased to 2.5m [Planning Officer comment – This would be an automatic requirement for the provision of the dropped kerb and does not need to be duplicated by the planning permission]
- f) * The location of the car port for Plot 7 as it reduces the width of the access to 4m [Planning Officer comment – This was a feature of the extant permission and should be retained so no change is proposed. The access serves only 5 properties and it is considered that there would not be a significant problem arising from vehicle to vehicle meets at this point]
- g) * There is not sufficient turning area in the vicinity of plot 4 for vehicles to turn and leave this part of the site in forward gear [Planning Officer Comment – The turning area appears to be no more constrained than that for Plot 5 so change is proposed]
- h) * All accesses to parking courts require vehicle-to-pedestrian visibility splays and proposed landscaping should not be positioned in the splay areas [Planning Officer Comment – Whilst they have not been drawn on the plan they appear satisfactory with the exception that some of the indicative tree planting may partially block some splays. It is not considered that this is significantly detrimental to highway safety.

Strategic Housing: All of these units will be affordable housing as with the previous consent. There are no objections to the application. The Longhurst & Havelock Homes Group has received a funding allocation from the Homes & Communities Agency and to enable them to meet the funding requirements they need to start on site in January 2010.

Recreation: The development will give rise to a contribution for off-site open space provision.

EXTERNAL

Anglian Water: Informative statements provided.

Historic Environment Officer: Prehistoric Roman and medieval finds are known from the surrounding area. Furthermore the site is located near the c. 1900 Methodist Chapel (potential for burials). Recommends PPG16 Condition.

NEIGHBOURS

Letters of objection have been received from 7 local residents raising the following issues:

- overlooking to gardens of 1-5 South View Road; does not comply with policy H15
- Impact of a additional traffic on South View Road
- Concern regarding traffic connecting to Lincoln Road
- Loss of privacy to properties in Carleton Crest – will brick wall to rear of garages be retained?

- Loss of trees which provide privacy and screening
- The proposed exit/entrance to this area would lead to even more reduced parking in an already over capacity street.
- There are several ancient self seeding trees in the area, a further reduction in wildlife would be completely unacceptable
- The development will prejudice the proposed extension to Premier Inn
- There are several trees that would be affected by the proposed development. There is not sufficient separation distance from the block of flats to the Sycamore tree in the neighbouring site.
- The outside seating area of the public house lies adjacent to the western boundary of the proposed residential development which could impact on the amenity of future occupiers of flats.
- The proximity of the residential development being so close to the Premier Inn site boundary could impact upon the operation the public house and hotel.

COUNCILLORS

Cllr Nick Sandford has referred the application to Committee due to concerns regarding potential loss of residential amenity for neighbouring properties by way of overlooking and also the additional traffic which will be put onto South View Road which is already busy and congested with parked cars.

7 REASONING

a) Introduction

This is a resubmission of a previously approved scheme for 40 residential units comprising dwellings/flats (08/01613/FUL) and is subsequent to planning approvals at outline stage. The differences between this and the June 2009 approval are primarily changes to the detailed design of the elevations roof designs of the dwellings rather than changes to the layout and footprint which remains the same as the extant consent.

b) Principle of Development

This is an unallocated/Brownfield site with an extant planning consent, thus the principle of residential development on this site is already established. The site lies within a sustainable location, close to a primary transport route and to the Local Centre on Lincoln Road and is considered to provide an efficient and effective use of land in accordance with policy H7 of the Adopted Peterborough Local Plan (First Replacement) and PPS 3.

c) Impact on Surrounding Character

The surrounding character is one of two storey terraced development. The scheme is set to the rear of the traditional urban form and is considered to be a stand alone development. The scheme incorporates an innovative design philosophy providing an amenity area in the form of a terrace above the car port. The living arrangements are therefore reconfigured providing the bedrooms on the ground floor and living rooms on the first floor with access to the terrace area. The scheme has achieved a density that is approximately 59 dwellings per hectare and it is considered that the layout and scale does not compromise the quality of the surrounding environment. Indeed it is considered that the development will enhance the existing setting and offer townscape improvements to the local vernacular. The proposal therefore accords with policies DA1, DA2 and H15 of the Adopted Peterborough Local Plan (First Replacement).

d) Design and Visual Amenity

The application primarily, proposed changes to the front elevations and roof design of the two storey dwellings. The previous dwelling types had a quasi 'art deco' style to the elevations and the elevations have been simplified and incorporate a mono pitched roof design, typical of more contemporary and modern developments. There has been an increase in roof height of the proposed dwellings to a maximum 6.75m and a minimum 5.4m. The height of the apartment blocks is 10m which is unchanged from the extant consent. Given the siting of the development to the rear of Lincoln Road/South View Road most of scheme will not be directly visible from any public vantage points. The development has a contemporary design and will have a modern appearance and will meet the requirements for the Code for Sustainable Homes Level 3 incorporating solar panels to be fitted to roofs or air-source heat exchangers.

The details of materials are to be agreed and an appropriate condition shall be appended to any grant of consent. It is considered that the design of the scheme is sympathetic to the surrounding character and will not result in an adverse visual impact and therefore accords with policy DA1 of the Adopted Peterborough Local Plan (First Replacement).

e) Residential Amenity

There is adequate separation distance from the development to the adjacent neighbouring properties and attention has been given to the potential for overlooking and loss of privacy. The majority of the dwellings have no first floor rear windows and where there are first floor windows they will not give rise to any direct overlooking. The roof terraces, where they are adjacent to the gardens of existing properties will have a 1.7m high solid enclosure so as to prevent overlooking.

Objections have been received from neighbouring properties in South View Road regarding overlooking from the front elevations of plots 4 to 6. The windows of these plots are large and incorporate Juliet balconies and are considered inappropriate. The applicant has agreed to amend them to a smaller design and these will be shown to the Committee. There is a back to back separation distance of approximately 31m from the plots to the adjacent residential properties which is considered adequate to avoid direct overlooking with the reduced window size. It is also considered appropriate that extra heavy standard trees are planted adjacent to the rear boundary of number 3 South View Road to help screen the development and to replace recently felled trees.

Objections have also been received on behalf of the Paul Pry Public House and the Premier Inn raising concerns regarding the relationship of the outside seating area to the Public House and the potential for complaints of noise from the future occupiers of the apartment blocks. It is considered however, that there is adequate separation distance to the apartments and that there are numerous examples of similar relationships between residential properties and the gardens to public houses and this should not be a constraint to the development. The objector has indicated that there is likely to be a future extension to the Premier Inn hotel and does not wish this scheme to be compromised. It is not considered that the housing scheme before committee does compromise the principle of an extension and its design and configuration would simply need to be mindful of this application and the extant planning consent. It is considered that the proposal will not result in any unacceptable impact on the residential amenity of adjacent neighbouring properties and accords with policy DA2 of the Peterborough Local Plan (First Replacement).

All of the proposed dwellings and apartments provide an adequate level of amenity for the future occupiers and the layout and aspect of the development achieve a satisfactory standard. An outdoor amenity space is available for each dwelling in the form of a first floor terrace and an area of on-site open space will serve the apartment blocks. The proposal accords with the provisions of policy H16 of the Adopted Peterborough Local Plan (First Replacement).

f) Highway Implications

Concerns have been raised by local residents regarding the increase in traffic and impact on South View Road and Lincoln Road. The highway implications resulting from the development have already been considered and deemed acceptable under the previous planning consents. It is likely that the proposed use of the site will not result in any further increase in traffic than would have existing when the site had a commercial use. One of the benefits of the application is the rear access for properties on South View Road thus providing the potential of reducing on street parking and subsequent highway implications. The correct standard of visibility splays are achievable at the access with South View Road though some small alterations to the exact junction design are needed.

Whilst the access road within the site will not be adopted, the junction with South View Road will be constructed to the required highway standard.

Parking provision is provided for all dwellings and apartments with some visitor parking spaces. Some plots do not accord with the recommended parking standards within the development plan however, these are maximum standards and given that the site is within a few minutes walk of a bus route with a frequent service this is considered acceptable.

Satisfactory provision is made for on site parking and cycle parking provision and there is no evidence to suggest that the development will lead to an increase in congestion or a reduction in highway safety. Consequently it is considered that the proposal accords with policies T1 and T10 of the Adopted Peterborough Local Plan (First Replacement).

g) Affordable homes

The proposal is an affordable scheme and therefore accords with policy H21 of the Peterborough Local Plan (First Replacement), the Regional Spatial Strategy (35%) and the Peterborough Core Strategy Proposed submission. The scheme will deliver at least 70% social rented units and therefore meets the requirements of the Housing Strategy 2008-11 which seeks to achieve a 70/30 tenure split in favour of social rented units. All units comply with the Homes & Communities Agency's Design & Quality standards and will meet Code for Sustainable Homes Level 3. Both of these standards are required to be met to secure grant funding from Homes and Communities Agency (HCA). Grant funding has already been awarded to Longhurst Group for these units.

h) Landscape implications

A tree survey was carried out in March 2008 which concluded that trees within the site namely Sycamore, Ash, Cypress and Poplar were not worthy of retention and it would be more beneficial to the amenity of the area to fell the trees and provide a suitable replanting scheme. One tree is to be retained within the site and will be located within an area proposed as open space. At the time of the site visit it was observed that two trees had been felled outside the rear boundary of number 3 South View Road. Trees in this position would provide screening for the new development, thereby enhancing the amenity of the occupiers of this property and as noted in paragraph e) above conditions shall be appended to any grant of consent to ensure that these trees are replaced. Indicative details of planting have been provided on the site plan ref. 188-PL02 rev C however a landscaping scheme will be required and shall be secured by a condition. The landscaping scheme will also ensure that appropriate tree species are chosen to ensure adequate visibility splays to driveways are achieved.

Notwithstanding the conclusions of the tree survey there are a group of trees to the north west of the site and outside the site boundary which are protected by a Tree Preservation Order (TPO). No information has been submitted as part of the application detailing tree protection measures and the applicant has been advised to submit this information which is awaited. Whilst a verbal update will be given at the meeting, it is considered that the development will not in principle compromise the TPO. All tree protection measures for on and off site trees that are to be retained will be secured by condition.

i) Ecological Implications

A Habitat Survey, Protected Species and desktop study was undertaken in October 2008. The report concluded that there were no features found on site that were considered valuable to bats and no evidence of roosting bats was observed. No evidence was found of Badgers or Dormice. There are areas within the site with the potential for nesting birds but no activity was observed on site. An informative shall be appended to any grant of consent advising that wild birds are protected under the Wildlife and Countryside Act 1981. The report did highlight that due to the derelict nature of the site, together with bare ground for scrub vegetation, there could be the potential for Common Lizard and Slow Worms and a reptile survey was recommended. A reptile survey was undertaken in October 2008. No reptiles were recorded on site and therefore no adverse impact on reptiles is anticipated as a result of the proposed works. An informative will be appended to any grant of consent advising the applicant that should any reptiles be discovered on site that they should not be deliberately harmed. The proposal therefore accord with policy LNE19 of the Adopted Peterborough Local Plan (First Replacement).

j) Vulnerability to crime

The Police Architectural Liaison Officer has been consulted on the application. At the time of writing the report no comments have been received however given the minor revisions to the previous consent the comments received for the previous application remain pertinent to this application. It is considered that in general most homes are provided with the required level of natural surveillance. The Police Architectural Liaison Officer will be consulted when details are submitted regarding boundary treatments and lighting.

k) Open space

An area of approximately 550m of on site open space is provided within the development. The development would give rise to an off-site contribution towards open space provision. However, the contribution would make the development of the site unviable and negotiations have been entered into with the Local Planning Authority and this is discussed further at paragraph m). This is a wholly affordable scheme and the benefits of adding to the housing stock outweigh the need for an off site open space contribution.

l) Archaeology

The Historic Environment Officer has advised that Prehistoric Roman and medieval finds are known from the surrounding area and as the site is located near the c. 1900 Methodist Chapel there is the potential for burial remains and has recommended that a watching brief condition is applied. However, as planning officers were advised (at the time of the now extant permission being submitted) that there were no known archaeological implications it is considered inappropriate to apply a condition now.

m) Private Housing

Comments have been received from the Private Housing Section raising concern regarding the internal layout of the apartments and in particular the relationship of bedrooms to escape route in the event of fire. This is not a planning matter however, the applicant has been advised that adequate measures will need to be implemented to reduce the risk of harm in the event of fire.

n) S106 Contributions

The application is made on behalf of Longhurst Homes which is a wholly affordable scheme and funded by the Homes and Communities Agency. The applicant and the Local Planning Authority have agreed that a contribution per unit to partly mitigate against any additional burden on existing infrastructure and services. A pooled contribution of £20,000 (plus a £400 monitoring fee) is to be made and this is the same as previously agreed under the extant permission. Whilst this is less than would normally have to be paid by a private sector scheme, an exception can be made because the funding regime for the scheme is such that the development would be made unviable if a larger contribution had to be paid. This has been confirmed by the Section 106 officer.

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 proposed residential development makes efficient and effective use of a Brownfield site and the scale and density of the development will not adversely impact on the surrounding character or result in an unacceptable impact on the amenities of occupiers of the adjacent residential properties and accords with policies DA1, DA2, H15 and H16 of the Adopted Peterborough Local Plan (First Replacement).
- The design of the dwellings would serve to enhance the character and appearance of the locality in accordance with policy DA2 of the Peterborough Local Plan (First Replacement).
- The future residents of the development will be afforded a good and, unique to Peterborough, provision of private amenity spaces that will accord with policy H16 of the Peterborough Local Plan (First Replacement).
- The parking provision for the development accords with the maximum standards of policy T10 of the Peterborough Local Plan (First Replacement).
- The residents of a number of the dwellings within South View Road are to benefit from being given the potential for a vehicular access to the rear of their properties which will reduce the existing pressure on the limited number of on street parking spaces in accordance with policy T1 and T10 of the Peterborough Local Plan (First Replacement).

- The vehicular access satisfies the requirements of the outline planning permission in accordance with policy T1 of the Peterborough Local Plan (First Replacement).

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 infrastructural and community needs of the area, the Head of Planning Services be authorised to grant planning permission subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C 2 No development shall take place until details of all materials to be used in the external surfaces of the buildings have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
Reason: In the interests of visual amenity in accordance with policy DA2 of the Peterborough Local Plan (First Replacement)
- C 3 Notwithstanding the submitted information no development shall commence until details of the junction of the proposed access/access road with the existing highway have been submitted to and approved in writing by the Local Planning Authority. The junction shall comprise a dropped kerb vehicle crossing. Thereafter the construction of the junction shall be implemented in accordance with the approved details.**
Reason: In the interests of highway safety in accordance with policy T1 of the Peterborough Local Plan (First Replacement).
- C4 No dwelling on the development shall be occupied before the highway linking that dwelling to the existing public highway at South View Road has been completed to base course level.**
Reason: In the interest of Highway Safety in accordance with policy T1 of the Peterborough Local Plan (First Replacement)
- C5 Development shall not commence before 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**
Reason: In the interest of Highway Safety in accordance with policy T1 of the Peterborough Local Plan (First Replacement)
- C6 Visibility splays clear of any obstruction over a height of 600mm above footway level shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 60m measured along the channel line of the public highway from the centre line of the proposed access road.**
Reason: In the interest of Highway Safety in accordance with policy T1 of the Peterborough Local Plan (First Replacement)
- C7 Prior to the commencement of development a scheme for the disposal of foul and surface water (including the routes of associated infrastructure) shall be submitted to and approved by the local planning authority. No dwelling shall be occupied until it is connected to the approved scheme.**
Reason: In order to protect and safeguard the amenity of the local residents and occupiers of the development in accordance with policies U1 and U2 of the Peterborough Local Plan (First Replacement)

- C8** Details of existing and proposed site levels, including finished floor levels of the dwellings together with their associated garden areas, and garages hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. These details shall also include the levels of the adjoining land and any building within 15m of the boundary with the application site. The development shall be carried out fully in accordance with those approved details.
Reason: In order to protect and safeguard the amenities of the adjoining occupiers in accordance with policy DA2 of the Peterborough Local Plan (First Replacement)
- C9** No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details.
Reason: In order to protect and safeguard the amenities of the adjoining occupiers in accordance with policy DA2 of the Peterborough Local Plan (First Replacement)
- C10** No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines, etc., indicating lines, manholes, supports, etc.); retained historic landscape features and proposals for restoration, where relevant. The scheme shall include the provision of extra heavy standard size along the boundary of the site with nos. 1 – 5 (odd) South View Road.
Reason: In order to improve the visual amenity of the areas, in accordance with Policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).
- C11** All hard and soft landscape works shall be carried out in accordance with the approved details. All tree, shrub and hedge planting shall be carried out in accordance with BS3963-1992 Part 1 – Nursery Stock- Specifications for Trees and Shrubs and Part 4 1984 – Specifications for Forestry trees; BS4043-1989 Transplanting Root-balled Trees: BS 4428-1989 Code of Practice for General Landscape Operations. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
Reason: In order to enhance the visual amenities of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).
- C12** If within a period of five years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.
Reason: In order to ensure the successful establishment of the landscaping scheme in accordance with policy LNE10 of the Peterborough Local Plan (First Replacement)
- C13** In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 12 months from the date of the occupation of the last building on site for its permitted use.
(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

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

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

Reason: In order to protect and safeguard the amenities of the adjoining occupiers in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement)

C14 The plans and particulars submitted in accordance with the condition 13 shall include:

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development. In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement)

C15 Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter the implementation of the development shall accord with the approved details.

(The applicant/agent is advised that the works involved in this condition are the sole responsibility of the owner/developer to ensure a safe development and secure occupancy for future residents. In addition the applicant/agent should be aware that the Local Planning Authority has determined this application on the basis of information submitted with the planning application. The grant of permission does not imply that the site is free from contaminants).

Reason: In order to protect and safeguard the amenity of the local residents and occupiers of the development in accordance with Planning Policy Guidance Note 23 and policy DA2 of the Peterborough Local Plan (First Replacement).

C16 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 T1 of the Peterborough Local Plan (First Replacement).

C17 Prior to the occupation of the dwellinghouses hereby approved storage areas for the siting of the refuse bins, associated with the occupation of the dwellinghouses, on days that the refuse bins are to be emptied, shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter those areas shall be retained for the storage of refuse bins on the days that they are emptied.

Reason: In the interest of residential amenity in accordance with policy DA2 of the Peterborough Local Plan (First Replacement).

C18 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), there shall be:

- no extensions or alterations made to any dwelling (including the enlargement or addition of windows),
- no erection of walls or fences (other than those approved)
- no erection of gates or doors or other enclosure of the garage / car ports
- no conversion of garages / car ports to habitable rooms.

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

C19 The roads, pavements and the parking court areas of the development, hereby approved, shall be illuminated in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be implemented in accordance with a timescale to be agreed with the Local Planning Authority.

Reason: In the interests of highway safety and the general security of the development in accordance with policy T1 and DA11 of the Peterborough Local Plan (First Replacement).

C20 Notwithstanding the submitted information no dwellinghouse shall be occupied until the details of the screening panels for the terrace areas of each dwellinghouse have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details prior to the occupation of each dwellinghouse. These boundary panels shall be retained thereafter entirely in accordance with the approved details.

Reason: In order to protect the amenities of the occupiers of the existing residential properties adjoining the development and the occupiers of within the development where two terrace areas flank onto one another in accordance with policy DA2 of the Peterborough Local Plan (First Replacement).

C21 Prior to occupations of the dwellinghouses details of the solar panels to be affixed to the roof of the dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall accord with the approved details.

Reason: In the interests of the general amenities of the area in accordance with policy DA2 of the Peterborough Local Plan (First Replacement).

C22 No development shall commence until details of the tree protection measures and working methods to be employed within the root protection areas of any retained tree on or adjacent to the application site.

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

C23 Notwithstanding the submitted information the cycle stands within the bicycle storage compounds shall be allocated on the basis of one cycle stand per flat and each cycle parking stand area shall have a lockable gate in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall accord to the approved details.

Reason: In the interest of the security of the dwellings and associated property in accordance with policy DA11 of the Peterborough Local Plan (First Replacement)

C24 Notwithstanding the submitted information the flats hereby approved shall be accessed via an audio and visual link at the principle entrance to each of the flats blocks hereby approved in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the security of the flats in accordance with policy DA11 of the Peterborough Local Plan (First Replacement)

Notes Relating to this Decision

1. British reptiles are protected by UK and European Legislation and under the Wildlife and Countryside Act 1981. In the unlikely event that reptiles are discovered on site they should be allowed to make their escape from the area and should under no circumstances be deliberately harmed.

Copies to Councillors Sandford, Day

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