

10/00502/FUL: CONSTRUCTION OF 34 DWELLINGS, TOGETHER WITH ACCESS, CAR PARKING AND LANDSCAPING

10/00510/CON: DEMOLITION OF ALL BUILDINGS ON SITE INCLUDING OFFICES AND GARAGES

AT 80 LINCOLN ROAD, PETERBOROUGH

VALID: 21 APRIL 2010
APPLICANT: ACCENT NENE LTD
AGENT: DAVID SHAW
REFERRED BY: CLLR PEACH
REASON: OVERDEVELOPMENT OF THE SITE AND LOSS OF THURSTON HOUSE
DEPARTURE: NO

CASE OFFICER: ANDREW CUNDY
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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

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

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

2 PLANNING POLICY

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

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

The Peterborough Local Plan (First Replacement)

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

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

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

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

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

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

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

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

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

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

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

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

Material Planning Considerations

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

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

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

PPS5 Planning and the Historic Environment, seeks to protect historic buildings, conservation areas and the historic environment.

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

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

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

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to

be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

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

There is relevant guidance in the Park Conservation Area Appraisal.

3 DESCRIPTION OF PROPOSAL

This is a joint committee report to cover:

1. 10/00502/FUL, the full application for the proposed residential development, and
2. 10/00510/CON, the conservation area consent for the demolition of the buildings on site.

Full planning permission is sought under planning reference 10/00502/FUL for 6 two bed houses, 1 four bed house, 15 one bedroom flats and 12 two bedroom flats together with access, car parking and landscaping. Conservation Area consent is sought under reference 10/00510/CON for demolition of all the existing buildings on site, including the main Thurston/Gayhurst Victorian villa.

Twenty seven flats are to be provided in two three storey buildings. Twelve two bed flats would be sited within Block A and fifteen one bed flats within Block B. Block A fronts onto Lincoln Road and its design reflects the large terrace of former houses opposite. Block B is the second of the two three storey blocks and is set 18 metres to the rear of Block A. Each flat would have one car parking space. Twenty one of these spaces are sited to the rear of block A, the remaining 6 spaces are sited to the front of block B.

5 dwellings are to be accommodated in Blocks D (a row of three terrace properties) and E (a pair of semi detached properties) and are all 2 storey in height. 2 dwellings are located in block C, a two bed house being two storey in height attached to a four bed dwelling being two and half storey in height. Nine parking spaces have been set aside for these 7 dwellings.

All the residential units will be affordable. A total of 20 secure cycle parking spaces are to be provided for the flats and each of the dwellings have cycle storage. The site is to be access from Lincoln Road.

4 DESCRIPTION OF SITE AND SURROUNDINGS

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

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

5 PLANNING HISTORY

Application Number	Description	Date	Decision
09/00838/FUL	Construction of 8 dwellings, 32 apartments, NHS Recognition Centre (A2 or B1 (a) use together with access car parking and landscaping	29.09.2009	Refused
09/00839/CON	Demolition of all buildings on the site including offices and garages	29.09.2009	Refused
98/01036/FUL	Erection of three prefabricated units for storage of office	02.11.1998	Approved

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

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No objection subject to conditions

Environmental Health – No observations

Landscape Officer – No objection but comments that due to the proximity of the tree there will be considerable shading and possible pressure for pruning works.

Drainage – Full design details of the proposed drainage systems proposed for this development should be forwarded for approval.

Waste Management – No objection – Happy with the location of the underground facility.

Housing Strategy – As this is an all affordable scheme it may be necessary to negotiate a S106 contribution which is lower than the policy requirement

Senior Architectural Liaison Officer – No objection

EXTERNAL

Fire and Rescue – No objection but comments that a hydrant will be required for this development

English Heritage – Object as the case for the demolition of Thurston House (a building that makes a positive contribution to the character and appearance of the conservation area) has not been substantiated in accordance with PPS5 guidance.

Peterborough Civic Society – Objects - Chief concern at this juncture remains the loss of the existing building formerly 'Gayhurst' The existing house which remains in beneficial use as offices is unquestionably of local architectural and historic interest. A request, by the Civic Society, is being considered by the Council for the inclusion of Gayhurst in the revised Local List. The society is opposed to the current proposals generally and to the proposed demolition of Gayhurst in particular. The society argues that the existing building clearly makes a positive contribution to the Conservation Area.

Design Review Panel – At the Design Review Panel meeting in March, the panel view was that the scheme does not fully exploit the site's asset and argued that the existing building could be integrated into the scheme. The panel asked the applicants to explore the possibility of retaining the existing building and extend to the south or to explore the possibilities of incorporating mixed-use elements and convert to re-use the rear block. The panel raised concerns over the level of car parking provision and suggested that the developer remove the car parking area from the front and provide spaces to the rear of the site. The panel added that the design of the front block should be further enhanced - green space could be improved and elevation should be strong complimenting the surrounding buildings.

MANERP – Oppose the demolition of Thurston House.

Neighbours -

16 replies have been received objecting to the application on the following grounds:

- A new housing development would exasperate increasing traffic problems with an escalation of further traffic brought to the area
- Proposal will congest and confuse motorist on the Main Route into the City from the North along Lincoln Road particularly at peak times when this area is already over congested.
- The location for this development is essentially opposite the one way street in Church Walk, which is a nightmare to get out of during rush hour
- The demolition of Thurston House will result in the loss of employment within the city centre
- Object to the demolition of all buildings on the site. Thurston House is a fine example of an Edwardian House of its type and should be retained at all costs as it is very important to the conservation area
- 34 dwellings on this site is an over-intensification.
- Too much space at the front
- Object to the housing going ahead without super insulation, rainwater harvesting, solar easter heating/ground source heating

MP Stewart Jackson – Concerned re the demolition of Thurston House

COUNCILLORS

Cllr Nazim – Objects The building should be kept as an office building. That the area is a conservation area which he feels needs to be preserved and enhance as opposed to it being knocked down. Does not believe that this congested area needs any further flats or houses as it would create even more problems for an area that is already congested.

Cllr Peach – Concerns about overdevelopment and the loss of Thurston House.

7 REASONING

Background

Against officer recommendation, Conservation Application Ref: 09/00839/CON for demolition of all buildings on the site including offices and garages was refused by members of the planning and environmental protection committee on 29th September 2009. The application was refused for the following reason:

1 - Thurston House/Gayhurst is a pleasant building in an attractive setting, which makes a significant positive contribution to the character and appearance of the Park Conservation Area. The proposed replacement buildings (under planning reference 09/00838/FUL) are of insufficient quality to make an equal or greater contribution to the Conservation Area. This is therefore contrary to PPG15 and Policy CBE4 of the Peterborough Local Plan First Replacement(2005) which

On the same date and against officer recommendation Planning Application Ref: 09/00838/FUL for construction of 8 dwellings, 32 apartments, NHS Recognition Centre (A2 or B1 (a) use together with access car parking and landscaping was refused by members of the planning and environmental protection committee. The application was refused for the following reasons:

1 - The density, siting, layout, massing and height of the proposed development, would adversely affect the character and appearance of the Conservation Area. This is contrary to PPG15 and Policies DA2, CBE3 and CBE4 of the Peterborough Local Plan (First Replacement) 2005

2 - The proposed development fails to retain and protect trees that make a positive contribution to the quality of the local environment and Conservation Area. This is contrary to Policies LNE9 and CBE3 of the Peterborough Local Plan (First Replacement) 2005

Since this decision the applicant has made the following changes to the submission:

- Removal of the NHS Recognition Centre from the application
- Reduce number of units from 32 apartments and 8 dwellings to 27 apartment and 7 dwellings
- All units are affordable an opposed to 35% previously

- Reduction from 50 car parking spaces to 36
- Setting back block A to allow views through the site of St Mark's Church
- Siting the access road along the northern boundary of the site – to allow for south facing gardens and to reduce impact on St Mark's Church
- Inclusion of a report considering the retention of Thurston House for office use
- Inclusion of a report considering the retention of Thurston House for residential use

Assessment of the Planning Issues

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

The site lies within the Park Conservation Area, therefore in accordance with PPS5, the proposal needs to be assessed in terms of whether the proposed development and the loss of the buildings would preserve or enhance the character and appearance of the Park Conservation Area.

The existing building on site 'Gayhurst' and nearby buildings (including the St Marks Church and other former Victorian villas), the curtilage and street trees, are identified by the Park Conservation Area (2007) as features which make a positive contribution to the townscape of the Conservation Area. EH9 of PPS5 advises that there should be a presumption in the favour of the 'conservation of designated heritage assets' Policy CBE4 follows a similar line.

A starting point is to consider the character of the area. The Park Conservation Area Appraisal was adopted in March 2007 and provides important planning guidance. The character of the Park Conservation Area is broadly that of large Victorian villa style properties set within large plots with frontage trees. Of relevance to consideration of the proposed demolition the appraisal advises:-

- That there is a general presumption against intensification of plot use and demolition of buildings which make a positive contribution to the character and appearance of the conservation area.
- Plan 7.2 (Townscape Appraisal) identifies buildings that have a positive effect on the conservation area: Gayhurst, St Marks Church and other nearby Victorian villas, curtilage and street trees all make a positive contribution to the character and appearance of the conservation area
- "Further loss of original buildings is directly at odds with the conservation area objectives" Section 5.5

Specifically Gayhurst has many surviving architectural features and is a good example of the Victorian buildings characteristic of this part of Lincoln Road. Gayhurst and nearby buildings make a positive contribution to the townscape of the conservation area. The Council are currently considering whether Gayhurst should be added to the revised Local List.

Two options have been put forward by the applicant for the retention of the building: one providing for its refurbishment for continued office use, and a second (drawing 109) for conversion to residential use with new residential development in the curtilage. The conclusion presented, based on the information provided, that neither are economically viable is weak. It is considered that neither option has presented sufficiently detailed costings to show that the schemes are unviable. The case presented on retention of the villa is only based on the argument that these scheme are not viable for this applicant. Officers are not convinced that alternative schemes involving the retention of the building (converted / refurbished) by other developers providing a combination of residential / or office uses is not feasible. Policy HE 9.4 of PPS5 advises that "local planning authorities should require the applicant to provide evidence that other potential owners or users of the site have been sought through appropriate marketing" is applicable.

Of the other buildings to be demolished only the former stable block to the rear of the site has merit. However, this is not readily visible from outside the site and its contribution to the conservation area is more limited. There would be no objection to the demolition of this building in order to provide development opportunity which consisted of some new build in the curtilage of the retained the principle building.

It is not only the Gayhurst building itself that positively impacts on the townscape, but also its extensive grounds and curtilage trees which are typical of the Victorian character. This character is also shaped by the building line, together with consistent eaves and ridge heights on buildings nearby.

The existing building on this does respect the building line and is not dominant in the street scene due to the strong tree presence on the site frontage and the large set back of the building. The set back allows views of the adjacent church and in particular its spire, which is a local landmark feature. This openness and the views that it provides, is also a part of the current character. The design of the new build respects this character. Development is set back within the site. This retains the important treed frontage to Lincoln Road and avoids intruding on views of the spire of St Marks Church viewed from the south.

Notwithstanding the above the proposed development would provide affordable housing close to the city centre. The loss of the Gayhurst Building has to be weighed against any benefits that arise from the provision of the development here. Officers consider that the public benefit arising from the development and the quality of the design is sufficient to offset the harm caused by the loss of the Villa to the Park Conservation Area.

b) The impact of the development on trees and ecology

Trees

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

The majority of the trees on the southern boundary are category A and B trees. These are trees that have been designated as having a high to moderate value, and as a result are recommended for retention in all new developments, where possible. They comprise mature Chestnuts, Limes and Yews, some of which rise to 18m in height. The proposed development recognises the importance of this mature tree belt on the southern boundary and seeks to retain them as part of the new proposal. The Councils Landscape officer advises that the retained trees along the southern boundary will cast considerable shade over nearly half the site and that pressure to prune these trees post-development will be inevitable.

This aspect, too, has to be weighed against any benefits that arise from the provision of the development here. Officers again consider that the public benefit arising from the development is sufficient to offset the pressure to prune these trees

Ecology

A protected species report was submitted with the application. At the time of drafting this committee report comments on it have not been received. This will be addressed via the update report.

c) The proposed design and layout

The design of Block A (to Lincoln Road) follows a traditional approach to reflect the Victorian character of the area such as use of the two storey canted bays, yellow stock bricks and eaves detailing similar to the late 19th C buildings. This is not fundamentally out of context with the Victorian character of the immediate locality.

Since submission part of the scheme has been revised. The contrasting red brick entrance bays to Block A (facing Lincoln Road) have been revised and now continue the canted bay design of the overall elevation, a feature evidenced within the immediate locality (e.g. Craig Street, Rothsay Villas, Tom Lock PH) This design change is supported and has been repeated to Block B. The use of yellow stock bricks, contrasting red brick detailing and stone dressings is appropriate. Should permission be granted a condition is recommended to ensure that the design of fenestration are appropriate within the Conservation Area.

The boundary to Lincoln Road has been revised to omit short plinth walls and pillars in place of railings throughout. This change is welcomed for the future health of the trees and to avoid an over dominant frontage appearance made by walls and piers.

d) **The impact on neighbouring sites**

The amended submission reduces the impact on St Mark's Church to the North of the site. It is not considered that the siting, layout and design of the residential dwellings would result in any harmful impact on the neighbouring residential properties.

e) **Car parking**

9 car parking spaces would be provided for the 7 dwellings on site, and 27 spaces for the 27 apartments. The Local Highway Authority advise that the parking levels in accordance with PCC maximum standards. Cycle parking in accordance with policy will be secured by planning condition.

f) **Housing**

The development provides the required 100% affordable housing provision at a time when many developers are requesting a reduction in that figure. The achievement of such accommodation, close to the City Centre, is a positive and is a real benefit arising out of the overall scheme.

g) **S106 Planning obligation**

The developer has submitted an open book appraisal including their build costs. The S106 officer is satisfied that these are true figures and agrees to a reduced S106 contribution of £34,000.

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

8 CONCLUSIONS

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

This is not an easy decision for the Committee to make. There are policies, aspirations, aims and objectives (from the Council itself, its partners, the Local Planning Authority, interested parties and consultees), that conflict with each other. The principal conflict is the loss of the Gayhurst building the form of the development and any impact that this has on the character of the area. This has to be weighed against the need for the development and the benefits that it will bring to the city.

Specifically:

- The provision of affordable housing which is required to help house the very large number of people on the housing waiting list in Peterborough which is over 9000.
- A high quality designed scheme that takes into account the attributes of the Conservation Area, including the trees and surrounding architectural style.

Your officers have concluded that the balance tips in favour of the grant of permission, for both applications.

9 RECOMMENDATION

1. Subject to the prior satisfactory completion of an obligation under the provisions of Section 106 of the Town and Country Planning Act 1990, the Head of Planning Services be authorised to grant planning permission for 10/00502/FUL subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C2 Prior to the commencement of development, or within other such period as may be agreed in writing with the Local Planning Authority, details of all materials (including window and doors) to be used in the external surfaces of the development shall be submitted to and

approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

C3 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).

C4 The pedestrian visibility splays shown on plan 945/P/210 Rev P10 shall be provided prior to the occupation of the development and thereafter maintained free from any obstruction over a height of 600mm within the area of the splays

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

C5 The areas shown on plan 945/P/210 for the parking and turning of vehicles shall be provided prior to occupation of the dwellings and shall thereafter be used for other purpose other than the parking and turning of vehicles in connection with the dwellings.

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

C6 Notwithstanding the submitted information and prior to the commencement of the development, unless otherwise agreed in writing by the Local Planning Authority, a Construction and Demolition Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include amongst other matters:

- (a) A phasing scheme and schedule of the proposed works;**
- (b) Provisions to control construction noise and vibration emanating from the site;**
- (c) A scheme for the control of dust arising from building works and site works;**
- (d) A scheme of chassis and wheel cleaning for construction vehicles and cleaning of affected public highways;**
- (e) A scheme of working hours for construction and other site works**
- (f) A scheme for construction access; including details of haul routes to and across the site and associated health and safety protection measures and details of measures to ensure that all construction vehicles can enter the site immediately upon arrival; and**
- (g) The site compound (including site huts) and parking for contractors and other employee vehicles.**

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

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

C7 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. Development shall be carried out in accordance with the approved details and shall be completed before first occupation.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policies DA2 and DA11 of the Peterborough Local Plan (First Replacement).

C8 Prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority, details of the hard and soft landscaping works and other minor structures shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, unless otherwise agreed in writing with the Local Planning Authority, the following elements:-

- i) arboricultural Method Statement**
- ii) a landscape management plan including long term design objectives, management responsibilities and maintenance schedule for any areas not within private gardens;**

- iii) planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, plant sizes and densities;
- iv) measures to promote biodiversity in accordance with the Protected Species Survey dated July 2009. These measures should bird, bat, insect and hedgehog boxes/homes;
- v) all means of enclosure;
- vi) all hard surfacing materials;
- vii) any minor structures including waste/recycling facilities;
- viii) details of cycle parking provision, including the type of stands;

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

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

- C9** If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.

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

- C10** In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [twelve months] from [the date of the occupation of the building for its permitted use].

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

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

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

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

- C11** Development shall not begin until a scheme showing the provision and location of fire hydrants has been submitted to and approved in writing by the Local Planning Authority; no development shall take place otherwise than in accordance with the approved scheme.

Reason: To ensure adequate provision of fire hydrants, in accordance with Policy U1 of the Adopted Peterborough Local Plan (First Replacement).

C12 Details of lighting shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the residential units. Development shall be carried out in accordance with the approved details.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policies DA11 and DA12 of the Peterborough Local Plan (First Replacement).

C13 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, of a Method Statement detailing the remediation of this unsuspected contamination.

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

C14 No construction/demolition/excavation works or removal of hedgerows/site clearance works shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect features of nature conservation importance, in accordance with Policies LNE17 and LNE19 of the Peterborough Local Plan (First Replacement).

C15 Details of the surface water drainage system for the development (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any part of the development hereby permitted is first occupied.

Reason: In order to protect and safeguard the amenity of the area and of the water environment, in accordance with Planning Policy Statement (PPS23 Planning and Pollution Control) and Policies U1, U2 and U9 of the Peterborough Local Plan (First Replacement).

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 a S106 contribution, 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).

2. The Head of Planning Services recommends that 10/00510/CON is application is APPROVED subject to the following conditions:

C1 Works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

C2 The demolition hereby approved shall not be commenced until such time as a contract for carrying out the works of residential redevelopment has been made and detailed planning permission granted for the development to which the contract relates.

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

Copy to Councillors Hussain, Khan, Jamil

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