

10/01267/FUL: CONSTRUCTION OF 294 RESIDENTIAL UNITS, A1 FOOD STORE, AND ASSOCIATED INFRASTRUCTURE AT CARBON CHALLENGE SITE, GLEBE WORKS, GLEBE COURT, FLETTON.
VALID: 14 SEPTEMBER 2010
APPLICANT: MORRIS HOMES LIMITED
AGENT: BROWNE SMITH BAKER
REFERRED BY: HEAD OF PLANNING TRANSPORTATION AND ENGINEERING SERVICES
REASON: IN THE WIDER PUBLIC INTEREST
DEPARTURE: NO

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The proposed design and layout
- The impact on neighbouring sites
- Highway Impacts and car parking
- Drainage
- The impact of the development on trees
- S106 Planning Obligation

The Head of Planning, Transport and Engineering Services recommends that the application is **APPROVED**, subject to a planning obligation being signed.

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 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.
- DA7 The needs of people with disabilities must be met in terms of access and provision of appropriate facilities.
- DA11 The vulnerability to crime in new development must be satisfactorily addressed in the design, location and layout of the proposal.
- DA12 Lighting schemes must be designed and installed to minimise the impact on neighbouring sites.
- 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.
- LNE10 Suitable landscaping schemes should be secured by development.
- LNE19 Planning permission will not be granted for any development proposal that would cause demonstrable harm to a legally protected species.

CBE2 Archaeological potential and importance must be evaluated and appropriately mitigated where appropriate.

CC11 South Bank Opportunity Area

CC17 Cathedral Views

- T1 Seeks to ensure that new development will not unacceptably impact on the transportation network.
- T3 New development should be safely and easily accessible by pedestrians and those with mobility difficulties.
- T4 New development should not prejudice or cause inconvenience to, cyclists using the cycle route network.
- T5 Safe and convenient access for cyclist should be secured
- T8 Development must safely connect to the existing highway network.
- T9 High quality cycle parking should be provided
- T10 Car and motorcycle parking provision
- T11 Parking provision for motorist with mobility difficulties
- U2 Sustainable surface water drainage
- U9 Pollution of Watercourses and Groundwater
- 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.

Emerging Peterborough Core Strategy Development Plan Document Submission (April 2010)

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.

PPS9 , Biodiversity and Geological Conservation, seeks to ensure that biological diversity is conserved and enhanced as an integral part of any development.

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

PPS25 Development and Flood Risk seeks to avoid inappropriate development in areas at risk of flooding.

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

Full planning permission is sought for 294 residential units, an A1 foodstore (278 sqm/3000sqft) together with access, open space, car parking and landscaping. The 294 residential units consist of 220 residential houses (64 x 2 bed, 82 x 3 bed, and 74 x 4 bed) and 74 apartments (all 2 bed).

The apartments are all located within a single 7 storey high apartment block at the entrance to the site fronting on to London Road. This block contains undercroft parking, cycle parking, the A1 retail foodstore, the 74 apartments and roof gardens.

The residential houses are a mixture of detached, semi-detached and terrace properties, and are 2, 2.5 and 3 storey high.

40% of the residential units, 120, will be affordable, 48 apartments and 72 houses. This is an additional 10% provision above the normal 30% policy standard.

All of the dwellings are to be designed to meet Code Level 6, of the Code for Sustainable Homes.

The site would be accessed from London Road, via Cripple Sidings Lane and a new access from Glebe Road.

A green wall is to be erected to reduce the impact of noise from the railway on the houses proposed adjacent. Also space is being provided for the future provision of a pedestrian/cycle bridge over the railway.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site covers an area of approximately 6.9 hectares (17 acres). It is located to the south of the River Nene and city centre, and falls within the city centre boundary and South Bank opportunity area.

The site is bounded to the north by the Birmingham to Norwich railway line, and to the south by the Peterborough United football ground and residential housing. The Frank Perkins Parkway is located to the east of the site and London Road to the west. The residential housing that bounds the site is a mixture of two storey housing and 3 storey residential apartments.

The site has been cleared of the former factory buildings on site. The site is currently vacant and is a mixture of hardstanding, car parking and rough scrubland.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
06/00419/OUT	Redevelopment of the site for residential development comprising approximately 145 new homes, open spaces and modified access	08.07.2009	Withdrawn
05/01739/OUT	Redevelopment of the site for residential development comprising approximately 145 new homes, open spaces and modified access	14.03.2006	Withdrawn
00/00581/FUL	Use of land for temporary storage of portable buildings	07.07.2000	Permitted

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Highways – No objection in principle, detailed comments awaited.

Archaeology – No objection. The site falls within an area of archaeological interest. The imposition of a standard archaeology condition is recommended.

Drainage - No objection subject to detailed drainage information which can be secured by condition.

Landscape Officer – Considers the tree belt on the eastern boundary worthy of a Tree Preservation Order. Has requested an updated tree protection plan, specific tree protection details of a few plots and a shade impact assessment.

Pollution Control – Recommends conditions be imposed in respect of contamination. Requests additional information in respect of noise and vibration to support the reports submitted. An update will be given at the meeting.

EXTERNAL

Police Senior Architectural Liaison Officer – No objection to the principle. The footbridge design as part of a subsequent application will have to address various issues to design out vulnerability to crime. The impact of football parking and coaches needs to be considered. Some comments are made in respect of details of the layout and boundary treatments however it is considered that the issues raised can be dealt with by planning conditions.

Environment Agency – No objection subject to the maintenance of the sustainable urban drainage being secured in the legal agreement, tests to support the Flood Risk Assessment and further ground water sampling. An update will be given at the meeting.

Anglian Water – No objection, subject to the imposition of planning conditions for foul and surface water drainage.

Natural England – No objection. It is unlikely that the proposed development would have any adverse impact on the interest features of the Nene Washes. The scheme should aim to provide good access to surrounding natural green space.

Peterborough Civic Society – Objects to the height, scale, and design of the apartment block 1. Considers the impact on Cathedral views and visual dominance of this high building in its surrounding context has not fully been assessed and demonstrated. Considers there is a need for a city buildings height policy to assess such proposals. Considers 5 storeys should be the maximum height for buildings on this site. Considers this could set a precedent for very tall buildings in this part of the city. Welcomes the removal of the energy centre, the quality of the low rise building design, treatment of public space and proposed management arrangements.

Network Rail - No objection in principle to the development. They provided a list of their detailed requirements on drainage, use of crane and plant, excavations/earthworks, security, access, and play areas, due to their close proximity to the railway line.

NEIGHBOURS

3 Letters of objection have been received from 3 local residents raising the following issues:

- Extra traffic and congestion, particularly on Glebe Road
- Dangerous junction on to Glebe Road
- Parking problems
- Impact on local community
- Noise
- Affect peace and quiet
- Do not need shop or community centre [Committee should note that the community centre is no longer part of the proposal]

COUNCILLORS

No comments received.

7 REASONING

a) Introduction

The Carbon Challenge initiative is being promoted by the Homes and Communities Agency on behalf of Communities and Local Government with the aim of supporting the house building industry to acquire the skills and technologies needed to deliver the Government's target that all new homes will meet Level 6 (the highest sustainability level) by 2016. By fast tracking a number of sites ahead of 2016 the initiative hopes to gather evidence and experience to assist developers to roll out Code Level 6 across mainstream projects. This is the second Carbon Challenge site in the country, and Morris Homes were selected as the preferred developer for the site.

b) The proposed design and layout

The design concept behind the proposed layout was splitting the site into three main character zones. An urban zone, adjacent to London Road containing the higher density apartment development, the central suburban zone, and the eastern rural zone, with the lower density detached properties. Two main avenues are proposed through the site, west to east, and north to south, with smaller residential courts located off these. A central area of open space is proposed to provide a focal point to the development.

Another strong design proposal is the fen and dyke concept, which proposes a gabion wall structure to act like a dyke along the northern boundary of the site, parallel with the railway line. This would provide a visual statement, a bund to mitigate noise pollution, a raised area from which a bridge link could be formed in future and an ecological corridor.

The design and layout of the site has undergone a number of amendments through the course of the application. The main changes have been a reduction in the total number of units from 344 to 294 units, the introduction of more on site open space, the deletion of the community building with apartments above and apartment block 2, the reduction in the size of the retail floorspace, and alterations to apartment Block 1 to reduce the height and improve the design of its elevations. It is considered that these changes have improved the design and layout of the scheme and as a result would create a higher quality public realm and amenity areas for residents.

The apartment block 1, has been reduced in height at London Road by approximately 6.5m, by reducing the height of the retail unit, reducing the floors of apartments above from 8 to 7 levels and deleting the sloping roof. The elevations have been revised with changes to distribution of materials, balconies etc to break up the massing of the building and add some more visual interest and improve its appearance. The building will be significantly higher than any immediately surrounding it, however there are other large buildings in the vicinity i.e. the large apartment block of Apex House opposite the site and the Peterborough football club stands, so it is not considered the building would appear out of context with the area. Whilst lower height buildings are generally more characteristic of this area it is not considered that this higher building would have an adverse visual impact or be incompatible with its surroundings.

The character of properties in the surrounding vicinity of the site is a mixture of ages, styles and heights. Therefore it is considered that this proposed development would add to rather than detract from the surrounding character of development. It is considered therefore that the proposed development would be in accordance with Policies DA1 and DA2 of the Local Plan.

c) The impact on neighbouring sites

The application site bounds existing residential development on its eastern and southern sides. The rear boundaries of the properties in Stagshaw Drive, Hadrians Court and Glebe Road back on to the site. These existing properties are a mixture of two storey properties and three storey high apartments.

This application proposes 2, 2.5, and 3 storey residential properties. The majority of the proposed properties along the adjoining boundary with existing residential sites would be 2 storey high. The development would reduce existing privacy levels of residents as currently there is no housing development behind them. However it is considered that the relationship between the new properties and the existing properties would be acceptable, in terms separation distances and resulting overlooking and privacy levels, and that no unacceptable impact would result.

The concerns of residents that it will disturb their peace and quiet and be noisy are considered to be unfounded in planning terms as proposed residential uses adjacent to existing residential uses are considered to be compatible land uses in terms of noise generation.

The proposal is therefore considered to be in accordance with Policy DA2 of the Local Plan.

d) Highway Impacts and car parking

The principle access to the site will be from the existing London Road access, via Cripple Sidings Lane and a new access from Glebe Road.

The Local Highway accepts the findings of the submitted Transport Assessment that the junctions on to London Road and Glebe Road would provide acceptable to the site in highway capacity and highway safety terms.

The site is accessible by sustainable travel modes such as public transport, walking and cycling and is close to the city centre. The scale and nature of the development proposed are such that no significant or adverse impacts on the use of the pedestrian, cyclist or public transport networks, infrastructure or services are likely to occur in the surrounding area.

The approximate car parking ratio proposed on site is 1 space for 2 bedroom dwellings. 1.5 spaces for 3 bedroom dwellings and 2 spaces for 4 bedroom dwellings. This is a lower provision than that of the Peterborough City Council maximum car parking standards which would require 2 spaces for 3 bedroom properties, however the site is located within the city centre where lower parking standards can be viewed more favourably due to the sustainable location. The travel plan submitted will help to encourage people to use more sustainable travel modes, however if these measures are not promoted and encouraged it could lead to significant on street parking. The proposed community management company will need to strongly promote the use of sustainable travel modes and also carefully consider how they deal with on street parking particularly on football match days. However on balance, as the site is located within the city centre and the development is being promoted as a sustainable lifestyle scheme, the car parking provision proposed is considered to be acceptable.

The internal roads have been designed specifically to keep traffic speeds low through the use of things such as shared surfaces, but there would be space for buses to serve the site.

e) Drainage

The majority of the site falls within flood zone 1 in accordance with the Environment Agency records, with a small proportion, 3.5%, of the site within flood zone 2. The site is therefore not at risk of flooding from the 1 in 100 year plus climate change event. The vast majority of the site (96.5%) is also above the 1 in 1000 year plus climate change event. The site does not form part of any flood plain or washland.

The most likely risk of fluvial flooding comes from out of bank flows from Fletton Spring. The 1 in 100 year plus climate change food level on Fletton Spring is given as 5.42m AOD. Finished floor levels within the development therefore should be set a minimum of 600mm above this level, which gives a minimum finished floor level of 6.02m AOD. Ground levels within the site may need to be raised to comply with this minimum finished floor level.

Sustainable urban drainage techniques are proposed to deal with surface water drainage on site. A series of detention ponds and a pond are proposed in the north of the site. Infiltration techniques are proposed in the central part of the site, to help ensure that surface water run-off is controlled as far as

possible at source with no additional impact on surrounding infrastructure. A surface and foul water pumping station is required in southern part of the site.

The Environment Agency has requested additional information to support the Flood Risk Assessment and contamination and subject to these being resolved have no objection to the proposal. Members will be updated of the outcome of this at the Committee meeting.

f) The impact of the development on trees

There are a number of existing trees on eastern and southern the site boundaries which are worthy of retention and offer a valuable green boundary treatment to the site. It is proposed that these trees will be retained as part of the scheme and planning conditions would be recommended to ensure these trees are protected and retained as an integral part of the development.

During the course of the application concern has been raised about the proximity of the development to the boundary trees and the potential shading impacts for future residents. The layout has been re-designed to move the properties further from the trees and orient the properties to minimise the impact of shading. It is considered on balance that the layout would now be acceptable subject to conditions to ensure tree protection and retention.

New planting is proposed as part of the proposed development, particularly by the creation of new street trees and in the areas of proposed open space.

It is therefore considered that the proposal is in accordance with policies LNE9 and LNE10 of the Local Plan.

g) Unilateral Undertaking Planning Obligation

Policy IMP1 of the Local Plan requires that provision be made for all additional infrastructure, services, community facilities and environmental protection measures that are necessary as a direct consequence of the development and reasonably related to the proposal in scale and kind.

In this case the development triggers a requirement for:-

- Affordable housing
- Sustainable Urban Drainage maintenance
- education/community infrastructure as there is evidence of a under capacity in the locality
- S106 monitoring fee

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.

The applicant has submitted a financial appraisal of the development costs of the scheme and this has demonstrated that it cannot afford to pay the level of contribution that would be sought on a development of this size. This is due to the high development costs associated with the scheme as a result of it being built to Code Level 6, on contaminated land, and it having a high proportion of affordable housing.

The proposed contribution level is £500,000 and this is proposed to be spent on the provision of additional school places and community infrastructure provision with emphasis being towards the provision of school places.

The Unilateral Undertaking is also to cover access etc to enable the construction of the pedestrian/cycle bridge over the railway line in future, and the setting up of management company for SUDS maintenance and public open space.

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 amendments to the layout and design of the development have enhanced the visual appearance of the scheme and provided a better quality public realm and environment for residents. This is in accordance with Policies DA1 and DA2 of the Peterborough Local Plan (First Replacement) 2005.
- Whilst there would be an impact on the current privacy and amenity enjoyed by neighbouring sites, it is not considered unacceptable. It is therefore considered the development is in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) 2005.
- A safe and convenient vehicle access to the site would be provided and the highway network could accommodate the traffic generated by the development without any adverse impact on highway capacity or road safety. This is in accordance with Policy T1 of the Peterborough Local Plan (First Replacement) 2005.
- Subject to the agreement of additional information to support the Flood Risk Assessment by the Environment Agency, the scheme would accord with the requirements of PPS25 'Development and Flood Risk'.
- Subject to the agreement of additional information to support the contamination report by the Environment Agency, the scheme would accord with Policy U9 of the Peterborough Local Plan (First Replacement) 2005.
- The detailed layout can be designed around the existing trees on the edge of the site in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement).
- The impact of the proposed development upon the ecology of the site is considered to be acceptable. It, therefore, accords with policy LNE19 of the Peterborough Local Plan (First Replacement).
- The community needs arising from the development would be met by the planning obligation in accordance with policy IMP1 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 community needs of the area, the Head of Planning, Transport and Engineering Services be authorised to grant planning permission subject to :-

- a) The resolution flood risk, contamination and noise issues with the Environment Agency and Pollution Control;
- b) 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 another such period as may be agreed in writing with the Local Planning Authority, details of all materials to be used in the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- C3** 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** Notwithstanding the submitted information and prior to the commencement of the development, unless otherwise agreed in writing by the Local Planning Authority, a Construction 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;
 - (g) The site compound (including site huts) and parking for contractors and other employee vehicles;
 - (h) Details of the number and nature of vehicles visiting the site during the construction period, and
 - (i) A traffic management strategy for the access points to the site.
- The development shall be carried out in accordance with the approved construction management plan.
Reason: In the interests of highway safety and residential amenity in accordance with policies T1 and DA2 of the Peterborough Local Plan (First Replacement).
- C5** No occupation 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).
- C6** 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).
- C7** Details of the surface water and foul drainage systems 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).
- C8** No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ, in accordance with Planning

Policy Guidance (PPG16 Archaeology and Planning), and policy CBE2 of the Peterborough Local Plan (First Replacement).

- C9** Prior to the commencement of construction, detailed contoured plans and cross sections shall be submitted to and approved in writing by the Local Planning Authority, to show existing and finished levels of the land and shall indicate the level of the ground and finished floor levels of all dwellings/buildings to be constructed. Details of all changes in levels must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the slab levels shown on the approved drawing(s).

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, and to ensure compliance with the Flood Risk Assessment, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement) and PPS25 Development and Flood Risk.

- C10** 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), no garage, carport or domestic enlargement to the dwelling(s) shall be constructed other than as those expressly authorised by this permission.

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

- C11** No construction shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that the development complies with approved details in the interests of Human Health and Controlled Waters, in accordance with planning Policy Guidance (PPG23 Planning and Pollution Control).

- C12** The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, unless otherwise agreed in writing by the Local Planning Authority, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of Human Health and Controlled Waters, in accordance with planning Policy Guidance (PPG23 Planning and Pollution Control).

- C13** In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority, unless otherwise agreed in writing, and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

Where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 11.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 12.

- C14** 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).

C15 All residential units hereby approved shall be constructed to Code Level 6 of the Code for Sustainable Homes, and 40% shall be affordable housing (as defined by the Peterborough Local Plan Policy H21) and shall thereafter be maintained as such.

Reason: This is because the planning obligation has been negotiated on this basis, in accordance with Policy IMP1 of the Peterborough Local Plan (First Replacement).

C16 Prior to the occupation of any dwelling a phasing plan for the provision of the public open space areas on site shall be submitted to and agreed in writing with the Local Planning Authority. The public open space shall thereafter be provided in accordance with the approved phasing details unless otherwise agreed in writing by the Local Planning Authority, and these areas shall not thereafter be used for any purpose other than as public open space.

Reason: In order to provide adequate open space facilities for occupiers of the site and in the vicinity in a manner that is not detrimental to the amenity of the area, in accordance with Policies LT1, DA2 and DA11 of the Adopted Peterborough Local Plan (First Replacement).

C17 Prior to the construction of each phase of development details of the proposed noise mitigation measures for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. These measures shall be fully implemented prior to the occupation of each dwelling and thereafter retained as such.

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

C18 Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, plans showing a scheme of enhancements to the main spine road through the site to ensure vehicle speeds are constrained shall be submitted to and approved by the Local Planning Authority. The spine road shall be implemented in accordance with these approved plans.

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

C19 Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, plans showing revised road widths between plots 80 and 86 shall be submitted to and approved by the Local Planning Authority. The road shall be implemented in accordance with these approved plans.

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

C20 Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, plans showing a minimum width of 6.5m for the road and turning head serving plots 99-113 shall be submitted to and approved by the Local Planning Authority. The road shall be implemented in accordance with these approved plans.

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

C21 Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, plans showing the layout of the bus stops adjacent to the open space including hard-standing for passenger waiting areas, shelters, information poles and RTP1 provision shall be submitted to and approved by the Local Planning Authority. The bus stops shall be implemented in accordance with these approved plans.

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

- C22** Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, plans showing vehicle-pedestrian visibility splays of 2m x 2m either side of dropped vehicular crossings serving shared accesses/roads where they meet the primary roads/footways and 1.5m x 1.5m either side of single vehicular accesses/parking spaces where they meet the primary roads/footways shall be submitted to and approved by the Local Planning Authority. The splays shall be implemented in accordance with these approved plans and thereafter be kept clear of any obstructions over 600m in height.

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

- C23** Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, plans showing vehicle-vehicle visibility splays of 24m x 27m at the junctions of all roads/shared drives with the main spine road shall be submitted to and approved by the Local Planning Authority. The splays shall be implemented in accordance with these approved plans and thereafter be kept clear of any obstructions over 600m in height.

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

- C24** Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, plans showing a minimum width of 4.5m for the private access parking court serving plots 33-36, 46-54, 81-85 and 108-110 and a minimum width of 5m for the private accesses serving plots 8-13, 15-26, 27-32, 194-201, 218-221 and 185-190 shall be submitted to and approved by the Local Planning Authority. The accesses shall be implemented in accordance with these approved plans.

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

- C25** Prior to the commencement of any development hereby approved, or within another such period as may be agreed in writing with the Local Planning Authority, details shall be submitted to the Local Planning Authority showing the road levels, form of construction, surface materials, drainage, street lighting street furniture, highway structures and the tying on the new roads to the existing public highway. The highways shall be constructed in accordance with the approved plans.

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

- C26** Prior to the occupation of any of the dwellings the footway linking that dwelling to the existing adopted footways shall be completed to binder course level and the carriageway linking that dwelling to the existing adopted carriageways shall be completed to base course level.

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

- C27** Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, revised plans showing parking bays perpendicular to the highway being minimum of 5m in length (clear of the adoptable highway) and bays parallel to the highway being a minimum of 6m in length shall be submitted to and approved by the Local Planning Authority. The parking spaces shall be implemented in accordance with these approved plans.

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

- C28** Prior to the commencement of any development hereby approved or within another such period as may be agreed in writing with the Local Planning Authority, revised plans showing the parking bays serving plots 218-219 repositioned 2m towards the southern site boundary shall be submitted to and approved by the Local Planning Authority. The parking spaces shall be implemented in accordance with these approved plans.
Reason: In the interests of providing adequate turning facilities and in the interests of the safety of users of the roads in accordance with Policy T1 of the adopted Peterborough Local Plan (First Replacement).

If the S106 has not been completed within 6 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 community infrastructure 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 Benton, Lee, and Serluca

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