

11/00795/FUL: CONSTRUCTION OF 138 DWELLINGS AND HIGHWAY INFRASTRUCTURE  
- (ALLOCATED AS EMPLOYMENT LAND) LAND TO THE SOUTH OF  
OAKDALE AVENUE STANGROUND PETERBOROUGH

VALID: 13 JUNE 2011

APPLICANT: PERSIMMON HOMES LTD

AGENT: JOHN MARTIN ASSOCIATES

REFERRED BY: HEAD OF PLANNING TRANSPORT AND ENGINEERING

REASON: DEPARTURE FROM LOCAL PLAN AND CORE STRATEGY

DEPARTURE: YES

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## 1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The principle of development on allocated employment land
- Connections with other development within South Stanground
- The layout and amenity standards of the proposed housing
- Highway safety and parking
- Section 106

The Head of Planning Transport and Engineering 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

Key policies highlighted below.

#### **The Peterborough Local Plan (First Replacement)**

**H6 – Stanground South.** This Policy set out the basic requirements for the Urban Extension, and includes a reference to the provision of 5.5 ha of employment land.

**H7 – Housing development on unallocated sites.** This policy states that this will be permitted provided that (inter alia) the site is not allocated for any other use.

**H15 – Residential density.** Seeks the highest residential density compatible with the character of an area and the living conditions of local residents, that is of a 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.

**T9 – Cycle parking requirements.** Sets out minimum standards for cycle parking.

**T10 – Car parking requirements.** Sets out maximum standards for car parking.

**U1 – Water supply, sewage disposal and surface water drainage.** This policy requires that suitable facilities and provision are available.

#### **The Peterborough Core Strategy DPD**

**CS2 – Spatial Strategy for the location of residential development.** This policy sets out the major allocated areas for housing.

**CS8 – Meeting Housing Needs.** This policy sets out the requirements for affordable housing, lifetime homes and wheelchair housing.

**CS10 – Environment Capital.** This policy requires that development makes a contribution towards the City Council’s Environment Capital agenda.

**CS14 – Transport.** This policy seeks to reduce the need to travel, to provide sustainable travel options to support the Environment Capital aspirations, and to improve quality of life. Priority should be given to pedestrians, cyclists and public transport above private motor traffic.

**CS16 – Urban Design.** This policy requires high quality and inclusive design, taking into account character, the public realm, designing out crime, access, environmental impact and neighbour amenity.

### **Material Planning Considerations**

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

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.

**Draft National Planning Framework.** Applications for other uses of designated land or buildings should be treated on their merits.

## **3 DESCRIPTION OF PROPOSAL**

The proposal is to develop the site with 138 dwellings, including 129 houses and 9 flats, with associated streets and parking. The type and character of development, the layout and house styles, would be similar to the rest of the South Stanground development.

## **4 DESCRIPTION OF SITE AND SURROUNDINGS**

The South Stanground Urban Extension (SSUE) known as Cardea is situated between Oakdale Avenue to the north and the Stanground Bypass to the south; and the new Horsey Toll roundabout to the east and Peterborough Road to the west. There is a small length of dual carriageway heading off the new bypass into Cardea, which is referred to as the Entrance Avenue. At the end of this is a smaller roundabout leading to the various parts of Cardea.

Immediately to the east of the Entrance Avenue is an area of land that will be playing fields, to the north of that is the Local Centre site including a supermarket, pub, local shops and, eventually, some other facilities. There will also be a primary school within the development; the remainder will be housing parcels, with a grid of public open space including a Sustainable Drainage System.

The application site has the bypass and a drainage pond to the south, the Entrance Avenue to the east, and to the south and north will be strips of open space then more housing.

The estate as a whole is being constructed on former agricultural land, with open countryside to the south.

For Members information, a copy of the framework plan, which shows the developments described above, is attached as Annex A.

## **5 PLANNING HISTORY**

Application Number	Description	Date	Decision
03/00842/OUT	Outline application for Urban Extension including 1525 dwellings, school, local centre, 5.5ha of employment land, playing fields and other infrastructure.	17/8/2001	Approved
03/00507/FUL	Stanground bypass	27/10/2005	Approved
07/01651/REM	Entrance avenue from bypass to the centre of the estate	30/5/2008	Approved
07/01893/REM	Western part of the spine road (which runs through the north-west quadrant of the site and will become the bus route)	5/6/2008	Approved
08/00870/REM	135 dwellings with roads, phase 1a/1b	9/6/2009	Approved
08/01518/REM	115 dwellings with roads	7/4/2009	Approved
10/00153/REM	48 dwellings with roads, phase 1c	3/6/2010	Approved
10/00285/REM	Green Infrastructure incorporating a sustainable drainage system (SUDS) relating to the western part of Cardea		Pending
10/00146/REM	45 dwellings with roads	12/5/2010	Approved
10/00483/REM	Road to the south of the local centre	13/9/2010	Approved
10/00484/REM	Road to the north of the local centre	21/9/2010	Approved
10/00524/REM	Southern loop road (through the south-west quadrant of the site)	26/7/2010	Approved
10/00560/FUL	New centre for Stanground South comprising foodstore (use class A1) including petrol filling station and recycling facility, public house/restaurant (use class A4), day nursery (use class D1), retail terrace (use class A1 (restricted) A2, A3, A5, D1, B1a) together with associated car-parking, servicing and landscaping	20/8/2010	Approved
10/01027/REM	Part of the sustainable drainage system to the east of the Local Centre and playing fields sites, serving the school, Local Centre, playing fields and housing phases 1f, 1i and 2c; and landscaping to the east of the Local Centre	4/2/2011	Approved
10/01619/REM	33 dwellings with roads phase 1e	18/1/2011	Approved
10/01628/REM	48 dwellings with roads, replan of phase 1c	23/2/2011	Approved
11/00467/REM	110 dwellings with roads, phases 2a/2b		Pending
11/00487/FUL	Construction of foot/cycleway to link Cardea with Oakdale Avenue, across the open space by Oakdale Primary School	25/5/2011	Approved
11/00778/REM	Construction of 210 place C of E Primary School, including fenced games area, playing field and car parking		Pending

Applications to discharge conditions are not listed.

## **6 CONSULTATIONS/REPRESENTATIONS**

### **INTERNAL**

**Local Highway Authority** – Has confirmed that the Transport Assessment carried out for the original South Stanground application need not be revisited to reflect the change from Employment to Housing.

Detailed comments are contained in the main body of the report with the Local Planning Authority's position given under each comment made.

**Waste Management** – No objection.

**Archaeologist** – No objection. The area has already been evaluated, no further work necessary.

**Landscape Officer** – The landscape scheme submitted does not appear to include many trees, I am of the opinion that the applicant should explore opportunities with a view to diversifying the landscaping by including more trees. There are areas which would accommodate trees so long as the most appropriate variety is chosen in terms of space and future growth.

**Wildlife Officer** – No objection. Refer to Ecology Strategy relating to the Outline consent, which requires bat and bird boxes. Details of these would be required by condition. Native species should be included in the planting plans.

## **EXTERNAL**

**Senior Architectural Liaison Officer** – No objection, but:

- Seeks revisions to commented on gates, fencing and cycle stores [these comments have been addressed.]
- Surveillance of car parking areas generally fine subject to boundary treatments at the frontages being low enough to allow looking over.
- Recommends windows on side elevations to give views over side driveways.

**Environment Agency** – No objection. The Environment Agency has inspected the application and notes that the site lies outside of the floodplain and that all surface water is to be discharged into the drainage network of the Middle Level Internal Drainage Board.

**Middle Level Internal Drainage Board** – No objection. The Drainage Strategy has been considered. While a residential use is more vulnerable [than the anticipated employment use] it should be appreciated that the impermeable area will be significantly reduced and therefore is unlikely to be at an increased risk as a result of the change of use.

**Fire and Rescue Service** – Has requested that the suitable provision of fire hydrants is secured by condition or via a S106 agreement.

## **NEIGHBOURS**

No letters of representation have been received from local residents.

## **COUNCILLORS**

No comments have been received from Members.

## **7 REASONING**

### **a) Introduction**

Members will be aware that the South Stanground Urban Extension, with the associated bypass, was considered by Members and Officers over a period of years and granted consent in 2007. The bypass was opened in 2009 and housing development is proceeding with about 125 occupations to date, and the planning/construction of facilities and services underway.

Considerations and conditions which cover the entirety of the Urban Extension (for example archaeological investigation and contamination surveys) have been carried out already, under the Outline consent, and as the outcomes were satisfactory these matters have not been re-examined here.

**b) Policy issues and the principle of development**

This application is before Members as the proposal is a departure from the Local Plan and the Core Strategy, both of which refer to the provision of employment land within Stanground South. The figure of 5.5ha is given for employment land within the SSUE; the application site comprises 2.8ha. The figure in the Core Strategy also includes 1.5ha of employment in the Local Centre, which has since had permission granted for a supermarket, pub and local shops and facilities.

The third allocation of employment land (adjacent to Stanground College) is 1.1ha and is as yet undeveloped.

The agent employed by the applicant to market the site for commercial use has submitted a report setting out that the area has been marketed as such since September 2009, with little interest. Given that the site is immediately adjacent to housing land, and taking into account restrictions due to the nearby local centre uses, the only practical employment use would be offices. The agent has concluded that there is sufficient office space available in preferable locations (eg Thorpe Wood, Lynch Wood, Cygnet Park) to the extent that this site is unlikely to be developed for employment.

It is not considered that there is a strong case for safeguarding employment land when there is no market interest.

This site can instead be regarded as a windfall housing site which will contribute additional units to help meet the City Council's growth agenda for housing. The Core Strategy makes clear that the stated figure for housing growth to 2026 of 25,500 dwellings is a minimum figure, and there is no guarantee that the anticipated development will all come forward, therefore suitable windfall housing sites should be considered favourably.

It should also be noted that the number of housing completions in recent years is below that given in the Core Strategy's Housing Trajectory.

**c) Site context**

Cardea is at an early stage of development, with planning consent issued for 376 dwellings of which about 125 are occupied, and applications pending for a further 360 dwellings. Consent for the primary school is to be issued imminently, and the pedestrian/cycle link by Oakdale Primary School is expected to open shortly, connecting residents directly with existing local facilities.

Cardea will eventually incorporate public open space, a playing field with changing pavilion, and the local centre including a supermarket, public house, nursery and some small shops. The new primary school with additional community facilities is due to open in September 2012, and access to Stanground College will be direct for pedestrians, cyclists and buses.

The approved Framework Plan also shows an Extra Care site and a health centre, but as yet these have not come forward.

A bus service is in operation which connects Cardea with Stanground and the city centre. This bus service currently enters and leaves the estate via the entrance avenue; in due course it will run through Cardea from Peterborough Road to Park Farm. Pedestrians and cyclists will be able to use the bus links, as a short cut, as will emergency vehicles. It is intended that private motor vehicles all use the bypass, to encourage people to use alternative forms of transport and to prevent congestion in existing residential areas.

In terms of connection with local services and facilities, and also foot, bus, cycle and road connections with the City and beyond, the application site is suitable for housing in principle as required by Policies H16 of the Local Plan and CS16 of the Core Strategy.

**d) Layout and amenity standards of the proposed housing**

The layout has been subject to pre-application discussion and as now proposed offers an acceptable level of amenity for residents.

Most houses have suitable amenity space provision, and separation distances are such that there should be no unacceptable overlooking.

Some concerns were identified about the Aster units, which are one-bedroomed back-to-back houses, and Officers have sought improvements to the layout of this area. As a result, the area appears more coherent, and parking better integrated into the streetscene. This is the centre of the application site, and there is space for landscaping, including trees, which will help to ensure adequate landscaping overall.

Colleagues in the Waste Management team initially requested that SULO (underground) receptacles be provided for the Aster units. However after discussion it was agreed that these would not be practical as the agreement on the layout was at an advanced stage, and it was decided to allow for

Taylor bins instead. These will be kept in communal stores, as a way of preventing occupants of the Aster units (which do not have gardens) keeping individual bins outside their properties, where they would clutter the streetscene.

As the housing layout is fairly compact, consideration has been given to withdrawing Permitted Development (PD) rights for extensions, garage conversions, and new windows. This is considered necessary only where larger dwellings have restricted parking. All dwellings have gardens large enough to absorb extensions within the PD limits without unacceptable impact, and the recent (2008) changes to the Householder PD allowance for upstairs windows will adequately control overlooking should householders wish to put any new windows in.

Overall, the development would provide suitable levels of residential amenity as required by Policy H16 of the Local Plan and CS16 of the Core Strategy.

**e) Highway safety and parking**

Parking for residents has been designed to be easy to use, to encourage people to park in their allocated spaces, and all dwellings have at least one off-street parking space. These are generally accessed directly from the street, rather than being in rear parking courts, although there is one mews-style court which includes both houses and parking, and three parking courts which serve housing and include garages under flats.

The shared surface streets have been designed to accommodate informal parking, which it is recognised will occur. Speed will be controlled by this on-street parking, also by long "islands" which will deflect traffic, as well as providing areas for additional tree planting.

A concern has been raised by the Local Highway Authority relating to the closeness of the south and east streets to the balancing pond and drainage ditch. It has been established that there is space to accommodate works which may be necessary, and that these works would not adversely affect the drainage system.

The planning issues relating to this matter have been adequately addressed. Details can be agreed under Highways technical vetting.

Highway access and parking is in accordance with Policies T9 and T10 of the Local Plan, and Policy CS14 of the Core Strategy.

Summarised comments from the Local Highways Authority are listed below with the Local Planning Authority's position given under each of the comments. The LHA raises no objections to the proposals, subject to the following issues being addressed and conditions and informatives being appended to any permission granted.

1. Several amendments to the 'Southern Loop Road' immediately to the north of this site are required.  
*A condition is recommended requiring the details to be submitted to and approved by the LPA before development commences, and for the works to be carried out prior to the occupation of any of the dwellings.*
2. Squared 'plinths' of 1m x 1m will be required around the street lighting columns on the adoptable shared-surfaces. These plinths are located outside the 'kerb-lines' indicated on the plans. Careful consideration must be given to the design of the street lighting scheme to ensure that these required areas can be provided.  
*A condition is recommended requiring details of the design and location of any street lighting. Given the limited amount of space on the street to the immediate south of the Aster block, any lighting will need to be designed to ensure that there would be no light spillage into living rooms and bedrooms of the adjacent properties.*
3. Several plots are located very close to the highway boundary. This may result in overhanging eaves, porches or windows which would all cause a hazard for highway users. No part of any building may be located within 0.5m of the highway boundary.  
*A revised plan is required showing the slight repositioning of these plots. The recommendation to Committee is that this is submitted to and approved by the LPA before any planning permission is issued.*

4. The front garden to plots 587, 588 should be extended to reduce the carriageway width to 7.5m and increase the distance between the dwellings and the highway boundary therefore providing forward visibility around the bend.  
*A revised plan is required showing this change. The recommendation to Committee is that this is submitted to and approved by the LPA before any planning permission is issued.*
5. It may be necessary to introduce a build-out outside plots 576 and 578 in order to alter the priority of the adjacent junction to allow the required 2.4m x 25m vehicle-to-vehicle visibility splays to be provided. This will not impact on the property locations and may increase the available space for landscaping to the front of these plots.  
*As above, revised plan to be submitted to and approved by the LPA before the issuing of any consent.*
6. Shared private accesses must be a minimum of 5m for the first 10m from the highway, and a minimum of 4.5m width thereafter for the remaining shared distance. Where these accesses provide the only pedestrian access to any of the dwellings served, the widths must be increased to 5.5m and 5m respectively.  
*On balance, the LPA finds the current proposal acceptable and does not intend to ask for an amendment in this instance given the low number of vehicles that will be using the private drives and the low risk to highway safety.*
7. The road junction between plots 593 and 597 will require 2.4m x 25m vehicle-to-vehicle visibility splays.  
*A minor change to the proposed kerb alignment would address this issue. This can be shown on the revised plan to be submitted.*
8. Refuse collection points will be required at the highway end of all private drives.  
*This is being conditioned.*
9. The loop roads at the south and east of the site are still shown to be located immediately at the top of the embankments around the watercourses which is not acceptable without amendment to these earthworks. It would need to be proven that the embankments would be capable of supporting the construction and loading of the roads before the roads could be considered for adoption.  
*Changes to the road in this location will be shown on the revised plan to be submitted to and approved by the LPA before any consent is issued. There is a technical solution to strengthening the adjacent embankment to the balancing pond, details of which will need to be submitted to and approved by the Local Highway Authority at technical vetting stage.*
10. The driveways to plots 517, 545, 620, 621, 626-629 and 647-650 must be increased to a minimum of 6m in length.  
*A condition is recommended requiring the above plots to provide vertical garage doors to allow sufficient space for a vehicle to park on the drive and off the public highway while the garage door is being opened.*
11. The parking bays to the south of the Aster block will need to be revised to move them further away from the road junction adjacent to plot 548. A 1.5 – 2m wide path will also need to be provided for refuse collection from the bin store.  
*A slight shift in the row of parking spaces will be shown on the revised plan. The refuse collection will take place along the central path of the Aster block which overcomes the issue concern raised.*
12. The shared surface must be widened to 6.5m at the site access.  
*This will be shown on the revised plan to be submitted.*
13. The condition on the outline consent (03/00842/OUT) relating to the construction management plan must be discharged for this site before the development commences.  
*Noted.*

**f) Drainage**

A Drainage Strategy and Flood Risk Assessment were prepared for the western half of Cardea, which includes the application site, and approved in January 2010 after consultation with the Environment Agency and the Middle Level Internal Drainage Board. These reports and calculations assumed that the application site would be put to Employment use. The issue for Members to consider is whether the change of use of this area from Employment to Housing will affect the drainage system, and whether the risk of flooding will increase, or be unacceptable.

Cardea will be drained using a Sustainable Drainage System (SuDS) with surface water flowing through the site into large balancing ponds on either side of the Entrance Avenue, and thence to reed beds on the south side of the bypass, where water will be cleaned before discharging into the Farcet Nene (Pigwater). This principle has been long agreed with interested parties.

The Drainage Strategy has been amended and reviewed by the Internal Drainage Board and the Environment Agency. The EA has made no specific comment on the application, however the IDB, which is more directly involved, has advised that there is unlikely to be a flood risk issue, as the impermeable area for housing is less than for employment use and therefore more surface water would go directly into the ground.

The Consultant Engineer (who has been dealing with the entire Cardea development since its inception) has explained that the balancing pond to the south of the application site has been designed so that in extreme circumstances (if all the pipes and outlets were blocked) flood water would discharge over the bypass and down towards the watercourse, instead of up into the development. The change of use from employment to housing would make no material difference to this.

The alterations to the pond mentioned above, which may be necessary, may slightly affect the capacity of the pond, however this is not considered to be a concern. The Drainage Strategy states that the capacity designed into the system is significantly above the minimum required, and that there is additional capacity in the reed beds. Any necessary alterations to the pond could be agreed by a planning condition.

Overall, it is considered that the proposed change of use would have no detrimental impact on the drainage system, and the development would not be at unacceptable risk of flooding. The proposal is therefore in accordance with Policy U1 of the Local Plan

**g) Landscaping and Ecology**

Some landscaping will be included within the site, and will be of the same character/species selection as landscaping over the rest of the estate. The exact details of the landscaping will be agreed by condition, however given the constraints of the site, and bearing in mind that the areas of open space around the site will be landscaped, the areas proposed for landscaping are considered to be acceptable.

An Outline condition applies across the estate as a whole requiring the provision of bat and bird boxes. That condition will not apply to this site therefore a similar condition is recommended should Members be minded to approve this application; to ensure that bat and bird boxes are provided on a certain proportion of dwellings.

Suitable landscaping, and provision for the enhancement of biodiversity, will be provided in accordance with Policy LNE9 of the Local Plan and Policy CS21 of the Core Strategy.

**h) Sustainability**

Policy CS10 of the adopted Core Strategy requires that developments make a positive contribution to the City Council's Environment Capital agenda. It was agreed as part of the Section 106 negotiations that no such contribution would be made in this case.

**i) Loss of Employment Land**

Section Persimmon Homes approached Peterborough City Council (PCC) to determine whether a 2.8Ha parcel of the South Stanground site currently zoned for employment use could be changed to residential use as they are unable to secure employment use due to lack of commercial interest.

PCC Planning Policy has confirmed that the land could be treated as a windfall site for housing due to the lack of interest expressed for its use as an employment site. Persimmon Homes commercial agent, Budworth Hardcastle, provided evidence to show that no interest has been received. On balance the Planning Policy team accept that there is no case for safeguarding employment land when there is no market interest and welcome this windfall site due to the additional housing units it



will provide in helping to meet PCC's Growth Agenda as outlined in the Council's adopted Core Strategy.

**j) Section 106 Contribution**

Persimmon Homes have stated that they are able to make a total S106 contribution of £1.5M, including monitoring fees. However, in order to be able to contribute this amount the site will need to be for 100% market housing as Persimmon are obliged to make a land use change uplift payment to the landowner. To support this approach Persimmon Homes submitted a Homes and Communities Agency Economic Appraisal Toolkit which demonstrated that the £1.5M offered by Persimmon Homes is reasonable given the underlying viability and market conditions.

Whilst additional housing that will contribute to the Council's growth ambitions contained in the Core Strategy is welcomed, there will be additional pressures put on the provision of school places. Therefore the Children's Services' team have undertaken an analysis of what the increased educational requirements would be as a direct result of the proposed additional 136 dwellings. To summarise, it has been demonstrated that the overall requirement, across all age groups is:-

Pre-school:	£47,064
Primary school:	£451,814
Secondary school:	£576,947

**Total: £1,075,825**

It should be noted that the above costs are 'actual costs' as opposed to the normally applied POIS costs which are substantially lower.

Based on these amounts this would provide an Affordable Housing Commuted Sum of £394,175. Affordable Housing of 30% of the total dwellings provided is normally sought under current Core Strategy policy for sites of 15 units and above. Where it is accepted that on-site provision is not possible due to exceptional circumstances Policy CS8 of PCC's adopted Core Strategy notes that an Affordable Housing Commuted Sum is acceptable. Housing Strategy has provided evidence to support an Affordable Housing Commuted Sum of £828,198.

The recognised crucial issue of providing additional school places has been considered against the need for affordable housing. Accepting that there is a need for affordable housing in the Stanground area Strategic Housing accepts that on balance the sum of £394,175 is acceptable due to the pressing need to provide additional school places. It should also be noted that Strategic Housing are satisfied with the ongoing provision of affordable housing on the overall much larger South Stanground site.

Also, the Minister for Decentralisation issued a written Ministerial Statement on 23<sup>rd</sup> March 2011 which is capable of being regarded as a material planning consideration. Please refer to <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1878047.pdf>

The statement includes '*Understanding the impact of planning obligations on the viability of development will be an important consideration when obligations are reviewed, particularly where they were reached in different economic circumstances. An appropriate review of obligations, which takes account of local planning priorities, could allow development to proceed on stalled schemes*'.

Applying the principles of this statement to this application and in conjunction with the demonstrated market and viability issues and weighing the competing demands of both Education and Affordable Housing provision the split of the identified £1.5M is considered appropriate.

With regard to additional Public Open Space (POS) and community facilities it is believed that the larger South Stanground development will provide adequate POS and community facilities and will be able to accommodate the increased demands from an additional 136 dwellings. Consequently no S106 contributions are sought towards these infrastructure items.

PCC Highways team has considered the potential impact on the local highway network as a result of this proposal and has confirmed that no TA is required for the change of use from employment to a residential development serving up to 136 dwellings.

On balance it is considered that this proposal to develop redundant land offers a good opportunity to provide additional housing to assist in meeting PCC's Growth Agenda, whilst also providing a sufficient S106 contribution to assist with meeting crucial infrastructure requirements, in particular additional school places.

## **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:

It has been demonstrated that the site is unlikely to come forward for its allocated employment use and therefore a departure from plan policy is justified. Such a justified departure is supported by para 75 of the Draft National Planning Policy Framework. In addition the development of the site for housing will assist in the Council achieving the delivery of housing in accordance with the Core Strategy's trajectory.

In terms of connection with local services and facilities; foot, bus, cycle and road connections with the City and beyond; and residential amenity, the application site and the proposed layout is suitable as required by Policies H16 of the Local Plan and CS16 of the Core Strategy.

Highway access and parking is in accordance with Policies T9 and T10 of the Local Plan, and Policy CS14 of the Core Strategy.

The proposed change of use would have no detrimental impact on the drainage system, and the development would not be at unacceptable risk of flooding. The proposal is therefore in accordance with Policy U1 of the Local Plan

Suitable landscaping, and provision for the enhancement of biodiversity, will be provided in accordance with Policy LNE9 of the Local Plan and Policy CS21 of the Core Strategy.

Section 106 contributions have been sought for education and affordable housing provision. Whilst normally contributions would be sought toward a wider range of physical and social infrastructure, a bias towards education provision can be justified due to the level of need.

## **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 towards education provision (£1,075,825) off site affordable housing (£394,175) plus monitoring costs, and the submission and approval of a revised layout plan addressing the highways issues listed in the report, the Head of Planning Transport and Engineering be authorised to grant planning permission subject to the following conditions:

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

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

**2. The private drives serving plots 526-531 and 535-546 shall be dedicated as rights of way for pedestrians and cyclists prior to any occupation with the site, and shall thereafter be maintained as such.**

Reason: To enable direct access for residents to the public open space and the footway/cycleway network, in the interests of residential amenity and encouraging travel by sustainable modes in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

**3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.**

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

**4. Prior to the commencement of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier.**

The scheme shall include the following details:

- **Planting plans including retained trees, species, numbers, size and density of planting**
- **An implementation programme**

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with policies LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) and policy CS21 of the adopted Peterborough Core Strategy DPD.

**5. Notwithstanding the submitted information, prior to the commencement of development details of the hard surfacing and landscaping of all areas other than enclosed private rear gardens at a scale of 1:200 or 1:250, shown on a single plan, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the dwellings hereby approved. The details to be submitted shall include (but not necessarily be limited to):**

**Planting as proposed under Condition 4 above**

**Surface finishes including the delineation and identification of parking spaces**

**Boundary treatments**

**Lockable self closing gates to rear access paths**

**Visibility splays**

**Refuse bin collection points**

**Location of the traffic islands required under Condition 7.**

Reason: For the Local Planning Authority to ensure a satisfactory external appearance and layout in the interests of residential amenity and highway safety, in accordance with Policy DA2 and T1 of the Peterborough Local Plan 2005 (First Replacement).

**6. Before the dwellings are occupied, the visibility splays identified under Condition 5 shall be provided and maintained free from any obstruction over a height of 600mm within an area of 2m x 2m (for shared accesses) and 1m x 1m (for individual plot accesses and the sub-station) measured from and along respectively the highway boundary.**

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy and T8 of the Adopted Peterborough Local Plan (First Replacement).

**7. Prior to the occupation of any of the dwellings hereby approved, and notwithstanding the approved plans, the traffic-calming islands on the shared surface streets shall be installed in accordance with details to be agreed in writing with the Local Planning Authority. The details shall include (but not necessarily be limited to)**

**Exact locations of islands**

**Dimensions**

**Sections**

**Materials**

**Planting including details of tree pits and guards**

Reason: In the interests of highway safety and the general amenity of the area, in accordance with Policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD

**8. Prior to the occupation of any of the approved dwellings, the parking bay to the electricity substations adjacent to the site shall be provided as shown on plan 100 Revision H.**

Reason: In the interests of Highway safety in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

**9. 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), garages within plots 517, 541, 542, 520, 621, 633, 634, 635, 645, 646, 651 shall be retained for the parking of vehicles and not used for any other purpose. The garages to plots 517, 545, 620, 621, 626-629 and 647-650 shall be fitted with vertical opening garage doors only.**

Reason: In the interests of providing adequate off street parking to serve the development in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD and T10 of the Peterborough Local Plan (First Replacement).

**10. No development shall commence on site until a scheme showing alterations to the highway that connects the development site to the entrance roundabout has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the occupation of any of the dwellings hereby approved.**

Reason: In the interests of Highway safety in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

**11. No dwelling shall be occupied until the garage(s), parking space(s) and turning area which serves it has been constructed, in accordance with the details shown on the approved plans. The garage(s), parking space(s) and turning area shall thereafter be available at all times for the parking and turning of vehicles, in connection with the use of the dwellings. The garages shall not be rented to non-residents or made available for use by persons not living at or visiting the building the garage(s) is/are intended to serve.**

Reason: In the interests of providing adequate off street parking to serve the development in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD and T10 of the Peterborough Local Plan (First Replacement).

**12. No dwelling on the development shall be occupied before the highway linking that dwelling to the existing entrance roundabout serving the Stanground South development area has been completed to base course level.**

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Adopted Peterborough Core Strategy and T8 of the Adopted Peterborough Local Plan (First Replacement).

**13. If gates are to be provided to the shared private vehicular accesses they should be electronically operated, inward opening and set back 6m from the edge of the carriageway.**

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Adopted Peterborough Core Strategy.

**14. Prior to the occupation of any of the Aster units (plots 548 to 579) the approved refuse bin and cycle stores shall be constructed and ready for use, and secured to prevent unauthorised access. The stores shall be so retained thereafter.**

Reason: in the interests of residential amenity and encouraging travel by sustainable modes in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

**15. The "approach" to the principal entrance to the dwellings, being the entrance that would be used by visitors arriving by car, shall be level (not exceeding a gradient of 1 in 15) unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to meet the needs for access for all in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

**16. Prior to the commencement of development, a scheme showing the location and design of all street lighting and an implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The street lighting shall be installed in accordance with the approved details and programme of work.**

Reason: in the interests of residential amenity, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

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

Reason: To ensure all contamination within the site is dealt with in accordance with PPS23 Planning and Pollution Control.

If the S106 has not been completed by the 12 September 2011 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 contribution towards the educational and housing needs of the area 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 Bush, Walsh, Cereste

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