

**Telephone:** 01733 453410 (9am - 1pm Mon, Wed, Fri)  
**Email:** [planningcontrol@peterborough.gov.uk](mailto:planningcontrol@peterborough.gov.uk)  
**Case Officer:** Lucy Buttery  
**Our Ref:** 19/00836/OUT  
**Your Ref:** EYEBURY ROAD, EYE



**Planning Services**  
Sand Martin House  
Bittern Way  
Fletton Quays  
Peterborough  
PE2 8TY

Ms Georgina McCrae  
Allison Homes  
Falcon Way  
Bourne  
PE10 0FF

18 December 2023

Dear Ms McCrae,

### **Application for Outline Planning Permission**

Proposal: Construction of up to 265 dwellings, associated public open space, infrastructure and the provision of land for school extension with access secured and all other matters (appearance, landscaping, layout and scale) reserved

Site address: Land East Of Eyebury Road Eye Peterborough

We are pleased to enclose your formal notice of planning permission for the above development. Please ensure that work is carried out in line with the approved plans referred to on the decision notice. This will avoid the need for any enforcement action.

### **Making changes to the approved plans**

In the event that you wish to change your proposal, please contact your case officer who will advise you on whether the change can be dealt with as a "non-material" or "material" amendment. In either case you will have to complete a form and provide fresh drawings.

### **Complying with the approved plans**

We would like to draw your attention to 'precedent conditions':- these are conditions which require you to either do certain works or submit something for approval prior to starting any work. These conditions must be complied with. Please check your Decision Notice carefully and familiarise yourself with its requirements, allowing plenty of time for the conditions to be complied with before work commences. If these conditions are overlooked you may invalidate your consent, risk enforcement action being taken and may need to submit a further application.

19/00836/OUT

In addition you should be aware that failing to build in accordance with the approved plans or properly discharging conditions often causes problems and delays if selling the property.

### **Reserved matters**

Please note that all outstanding reserved matters must be submitted within 3 years of the date of this decision (or as otherwise stated in the appropriate condition). Failure to do so will mean that the application is out of time and the development cannot be lawfully commenced.

### **Complying with conditions**

Please read the conditions attached to this permission carefully. Some conditions may require you to submit more information to us before you can start work.

If further information is required you will need to submit a separate application together with the required supporting documentation. The relevant application form (PF27) for discharge of conditions can be downloaded from our application One Stop Shop at [www.peterborough.gov.uk/planningoss](http://www.peterborough.gov.uk/planningoss)

Please ensure that the required details are submitted in duplicate and if you are applying to discharge more than one condition that the supporting information is clearly separated and referenced to each individual condition.

There is a fee required with an application to discharge planning conditions, however this is chargeable per application rather than per condition, please ensure that this is enclosed as part of your application. For further information please visit our application One Stop Shop or contact Planning Services on 01733 453410.

### **Appeals against conditions**

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/government/organisations/planning-inspectorate> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

### **Your feedback on our service is welcomed**

We are interested in finding out what you thought of our service and how we might make it better. To give us feedback please go to <http://consult.peterborough.gov.uk/portal/pcss>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Chapman', with a long, sweeping flourish extending to the right.

**Adrian Chapman**  
Executive Director: Place and Economy



# PETERBOROUGH



**Planning Services**  
Sand Martin House  
Bittern Way  
Fletton Quays  
Peterborough  
PE2 8TY

DX 12310 Peterborough 1  
01733 747474

## NOTICE OF OUTLINE PLANNING PERMISSION

Town and Country Planning Act 1990

# GRANTED

<b>Reference</b>	19/00836/OUT
<b>Proposal</b>	Construction of up to 265 dwellings, associated public open space, infrastructure and the provision of land for school extension with access secured and all other matters (appearance, landscaping, layout and scale) reserved
<b>At</b>	Land East Of Eyebury Road Eye Peterborough
<b>Applicant</b>	Mr Mark Mann Larkfleet Homes
<b>Date valid</b>	1 June 2019

### Permission is granted subject to the following conditions and reasons:

- C 1 Approval of details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development meets the policy standards required by the development plan and any other material considerations including national and local policy.

- C 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 3 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

- C 4 Not more than 265 dwellings shall be built pursuant to this outline planning permission.

Reason: In order to ensure that the development complies with the provisions of the outline permission, including the transport assessment.

- C 5 The details to be submitted as part of the reserved matters scheme under condition 1 above shall include the following details to demonstrate:

- all of the dwellings should meet Building Regulations Part M4(2);

- 5% of the dwellings shall meet Building Regulations Part M4(3)(2)(a); and
- all rented tenure affordable housing to meet the minimum National Space Standards (as defined by Building Regulations)

The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure that the development accords with Policy LP08 of the Peterborough Local Plan (2019).

- C 6 Prior to the commencement of any development a phasing plan and timetable for the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover the phasing of the dwellings, new accesses to be created for the adjacent school land, all roads and cycle ways, SuDS features, landscaping and public open space areas. A timetable for their implementation shall demonstrate that the works are aligned with the proposed phasing of development.

The development shall thereafter be carried out in accordance with the approved phasing plan or any revisions to this which maybe subsequently agreed.

Reason: In order to ensure that the development can be appropriately delivered in accordance with Policies LP13, LP16, LP17, LP21, L28, LP29, LP32 and LP40 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the phasing of the site needs to be agreed at the outset of the development.

- C 7 The development hereby approved shall be carried out in accordance with the following approved plans and documents:

Drawings:

- L---/LP/01 Rev B - Location plan
- L---/MP/01 Rev.E - Indicative masterplan
- L---/MOVE/01 Rev.B - Strategic movements plan
- L---/PARAMETERS/01 Rev.A - Parameters plan
- L---/POS/01 Rev.B - Indicative POS areas
- EYE-BWB-GEN-XX-DR-TR-100-S2 P7 - Proposed access arrangements
- EYE-BWB-GEN-XX-DR-TR-102-S2 P3 - Potential traffic calming scheme

- EYE-BWB-GEN-XX-DR-TR-104-S2 P4 - Proposed cycle footway
- EYE-BWB-GEN-XX-DR-TR-110 S2-P4 - Swept Path Analysis
- MA11261-250 - Preliminary SWS Drainage Strategy Sheet 1
- MA11261-250 - Preliminary SWS Drainage Strategy Sheet 2
- IDB Drain Section

Documents:

- Transport Assessment Rev.P2 (BWB, dated 31/05/2019)
- Transport Assessment addendum 2 Rev. P2 (BWB, dated 18/08/21)
- Junction Validation technical Note (BWB, dated 20/07/21)
- Flood Risk Assessment MA10525-FRA-R01 (Millward, dated October 2017)
- Extended Phase 1 Ecology Report (Lockhart Garratt, dated May 2017)
- Updated ecological walkover survey (Lockhart Garratt, dated 06/07/21)
- Arboricultural Impact Assessment (Lockhart Garratt, dated 13/12/17)
- Archaeological Desk-Based Assessment (PCAS, dated March 2018)

Reason: In order to ensure that the development complies with what has been applied for and to ensure the key principle and parameters of the development are comprehensively followed through the development for an acceptable design, appearance and amenity within the development in accordance with Policies LP16, LP17, and LP21 of the Peterborough Local Plan (2019).

C 8 No development other than groundworks and foundations shall take place on each phase as identified on the approved phasing plan secured under condition C5, until details of the following external materials to be used have been submitted to and approved in writing by the Local Planning Authority:

- Walling and roofing;
- Windows and doors;
- Rainwater goods;
- Cills and lintels; and
- Soil flues and vents.

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: In order to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019). This is a pre-commencement condition as materials need to be agreed before work progresses.

- C 9 Prior to the commencement of the development or any associated site clearance, a Construction Management Plan (CMP) for each phase, as identified on the approved phasing plan secured under condition 5, shall be submitted to and approved in writing by the Local Planning Authority.

The CMP shall include the following:

- a) A scheme for the monitoring, reporting and control of construction noise and vibration including hours of working and scope for remedial action.
- b) A scheme for the control of dust and scope for remedial action in the event that dust is identified as an issue or any complaints are received.
- c) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of the location and specification of a fully working jetted drive-thru bath type wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmac, to be maintained free of mud, slurry and any other form of contamination whilst in use. A contingency plan including if necessary the temporary cessation of all construction operations to be implemented in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
- d) Haul routes to the site and hours of delivery.
- e) Measures to ensure that vehicles can access the site upon arrival so there is no queuing on the public highway.
- f) Details of site compounds, storage area and contractor and visitor parking.
- g) Details of the site enclosure or part thereof and gated site security.
- h) Confirmation that tree protection measures are in place.
- i) Confirmation that any demolition/construction will be carried out in accordance with the ecological management plan/method statement.
- j) A scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.

The CMP shall thereafter be adhered to throughout the relevant period of construction.

Reason: In the interests of highway safety and residential amenity in accordance with Policies LP13 and LP17 of the Peterborough Local Plan (2019). This is a pre-commencement condition because the details to be approved are required to be put in place before development commences for the duration of the development.

C10 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- a) Summary of potentially damaging activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity enhancement in accordance with Policy LP28 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the CEMP needs to be in place from the duration of the development.

C11 If, during development, of any phase or sub-phase of development, contamination not previously considered is identified, then the Local Planning Authority 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 Local Planning Authority. 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 Policy LP33 of the Peterborough Local Plan (2019) and paragraph 183 of the National Planning Policy Framework (2021).

C12 The development hereby permitted shall be constructed to ensure that each residential unit achieves water usage of no more than 110 litres per person per day.

Reason: In order to reduce the impact of the development upon the water environment, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

C13 The plans and particulars to be submitted as reserved matters under condition 1 shall include details of existing and proposed site levels including the finished floor levels. The plans shall include details of all finished floor levels, levels for associated garages and gardens, details of any earthworks, retaining features and confirmation that level access can be achieved. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual and residential amenity in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

C14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment. The plans to be submitted for reserved matters approval under condition 1 shall confirm how the development complies with the approved assessment and include details of all on site attenuation features. The development shall thereafter be carried out in accordance with the approved details prior to first occupation of any dwelling to which they relate.

Reason: In order to ensure that the site can be adequately drained, in accordance with Policy LP32 of the Peterborough Local Plan (2019).

C15 Prior to the commencement of development (other than ecological investigation and surveys), a detailed scheme of the design, implementation, maintenance and management of the sustainable drainage scheme based on the approved preliminary SWS Drainage Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. Those details shall include, but are not limited to:

- A full and up to date sustainable drainage strategy and plan;
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;

- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- Construction/technical details of all drainage assets;
- Hydraulic calculations;
- Overland flood flow and exceedance routes, both on and off site;
- A timetable for its implementation;
- Maintenance and management schedules for all drainage assets, which includes details of the parties responsible for said maintenance throughout its lifetime. Consideration needs to be given to the access for maintenance for all drainage assets, which includes but is not limited to the wetland ponds and outfalls; and
- Demonstration that it meets the government's national standards.

The development shall thereafter be carried out in accordance with the approved details before the dwelling to which it relates is first occupied.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with Policy LP32 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the foul drainage needs to be agreed at the outset of the development.

- C16 Prior to the commencement of development (excluding site clearance works), a detailed scheme of foul drainage including details of any phasing or off-site connections/infrastructure improvements shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details before the dwelling to which it relates is first occupied.

Reason: In order to ensure that the site can be adequately drained, in accordance with Policy LP32 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the foul drainage needs to be agreed at the outset of the development.

- C17 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include details of open space provision which shall broadly accord with the amount of open space shown on Drawings L---/MP/01 Rev.E - Indicative Masterplan and L---/POS/01 Rev.B - Indicative POS areas and include a LEAP and allotments.

Prior to the first occupation of the first dwelling on the site, details of the proposed play equipment shall be submitted to and approved in writing by the Local Planning Authority along with a timetable for the delivery of the open space(s) including the play area.

The open space and play area shall thereafter be carried out in accordance with the approved details and be ready for use in accordance with the approved timetable.

The open space and play area shall thereafter be retained and maintained and be available for public use.

Reason: In order to ensure sufficient public open space and provision of play equipment to serve the new development, in accordance with Policy LP21 of the Peterborough Local Plan (2019).

- C18 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include a noise assessment based on the reserved matters layouts and shall include full details of any proposed mitigation measures. The development shall thereafter be carried out in accordance with the approved mitigation measures which shall be installed prior to the first use of the dwelling to which they relate, and shall thereafter be retained as such.

Reason: In order to ensure adequate amenity for the future occupiers in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C19 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include an air quality assessment based on the reserved matters layouts and shall include full details of any proposed mitigation measures. The development shall thereafter be carried out in accordance with the approved mitigation measures which shall be installed prior to the first use of the dwelling to which they relate, and shall thereafter be retained as such.

Reason: In order to protect and safeguard the neighbouring occupants and future occupiers of the development, in accordance with Policy LP17 of the Peterborough Local Plan (2019).

- C20 Details of the hard landscaping scheme to be submitted as plans and particulars under condition 1 shall include the following details:

- External paving and surfacing materials;
- All boundary treatments and enclosures including those on the edges of the site;
- Street furniture including bins and signage; and

- External lighting to all highways and private driveways.

The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the area or building to which they relate or in accordance with any alternative timeframe as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual and residential amenity, in accordance Policies LP16 and LP17 of the Peterborough Local Plan (2019).

C21 The soft landscaping scheme reflecting the approved indicative masterplan to include details for front and rear gardens, shared communal open spaces etc. to be submitted as plans and particulars under condition 1 shall include the following details:

- Planting plans including retained trees, species, numbers, size and density of planting;
- An implementation programme (phased developments).

The development shall thereafter be carried out in accordance with the approved details no later than first available planting/seeding season following first occupation of the dwelling(s) to which the planting relates or in accordance with any alternative timeframe as maybe agreed in writing by the Local Planning Authority apart from the open space which shall be laid out in accordance with the requirement of condition 17.

Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die are removed, become diseased or unfit for purpose in the opinion of the LPA within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the Developers, or their successors in title with an equivalent size, number and species being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual amenity of the area and for future occupants of the development and the enhancement of biodiversity in accordance with Policies LP16, LP21 and LP29 of the Peterborough Local Plan (2019).

C22 Prior to the first occupation of any dwelling within the development, a Landscape Management Plan (LMP) shall be submitted to and approved in writing by the Local Planning Authority. The LMP shall include, but not limited to:

- Long term design objectives;

- Management responsibilities; and
- Maintenance schedules.

The LMP shall be implemented in full following the planting of any of the soft landscaping secured under condition 21.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies LP16 and LP21 of the Peterborough Local Plan (2019).

- C23 The plans and particulars to be submitted for reserved matters approval under condition 1 shall include an updated Arboricultural Impact Assessment and Tree Protection Scheme. The development shall thereafter take place in accordance with the approved details and tree protection measures.

The tree protection measures shall be erected prior to the commencement of development or site works and thereafter retained until development within that area is completed.

Reason: In order to protect retained trees and hedges on the site, in accordance with Policy LP29 of the Peterborough Local Plan (2019).

- C24 The submitted Residential Travel Plan, prepared by BWB (ref: EYE-BWB-GEN-XX-RP-TR-0001\_RTP-S2-P2) received on 2 July 2019, shall be implemented prior to the first occupation of any dwelling. The development shall thereafter be occupied in accordance with the submitted Residential Travel Plan or a plan as subsequently modified and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable transport and development, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C25 Prior to commencement of development, further details of the works to Eyebury Road and a timetable for its implementation, in accordance with the principles set out on EYE-BWB-GEN-XX-DR-TR-100-S2 P7 and EYE-BWB-GEN-XX-DR-TR-102-S2 P3, and in LTN 1/20, shall be submitted to and approved in writing by the Local Planning Authority.

No dwelling on the development shall be occupied until all of the works have been completed in accordance with the approved details.

Reason: In the interest of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019). This is a pre-commencement condition because the off-site highway works are required to make the development acceptable and in addition to planning approval will require separate approval from the Highway Authority under the Highways Act.

- C26 The site access from Eyebury Road hereby approved shall be provided in accordance with the details shown on drawing EYE-BWB-GEN-XX-DR-TR-100-S2 P7 prior to first occupation of the dwellings. It shall thereafter be retained in accordance with the approved plans.

Reason: In the interests of highway safety in accordance with Policy LP13 of the Adopted Peterborough Local Plan.

- C27 Vehicle to vehicle visibility splays measuring 2.4 metres measured along the centre line of the minor arm from the channel line of the major arm by 43 metres measured from the centre line of the minor arm along the channel line of the major arm in both directions shall be provided at the new junction on to Eyebury Road prior to first use of the road and shall thereafter be maintained in perpetuity and retained free from any obstructions over 600mm in height above ground height.

Reason: In the interest of highway safety in accordance with Policy LP13 of the Adopted Peterborough Local Plan.

- C28 Adequate space shall be provided within the site for parking and turning in order to:
- Enable residents' vehicles to park clear of the public highway;
  - Accommodate appropriate levels of visitors' car parking;
  - Provide electric charging points, and the ducting to enable future provision of chargers in locations where the charging points are not provided;
  - Accommodate the necessary number of cycle parking spaces within the curtilage of each dwelling; and
  - Enable vehicles to enter and leave in forward gear.

This provision shall be in accordance with details which have been approved in writing by the Local Planning Authority as part of a reserved matters application for the relevant areas of the site as required under condition 1.



Reason: In the interests of Highway safety and to promote the use of sustainable modes of transport, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C29 Each dwelling must be provided with cycle parking in accordance with the standards set out in Policy LP13 and Local Transport Note 1/20.

Reason: In the interests of promoting sustainable transport and development from the outset, in accordance with Policy LP13 of the Peterborough Local Plan (2019) and LTN1/20.

- C30 The developer must contact the Highway Control Team to agree the extent of a pre-condition highway survey and carry out a joint inspection of the condition of the public highway before site traffic uses the road/s. A similar inspection will take place on completion of the road.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C31 No dwelling within any phase or sub-phase shall be occupied until the vehicle access linking that dwelling to the public highway has been completed to a minimum of base course level and footways / cycleways shall be completed to surface course level. In the event the dwelling is occupied with the roads at base course level then a timetable and phasing plan for completing the roads shall be submitted to and approved in writing by the Local Planning Authority. The roads shall thereafter be completed in accordance with the approved timetable and phasing plan.

Reason: In the interests of providing a safe means of access to the development which does not prejudice the safety of the users of the existing public highway, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C32 Notwithstanding the submitted information prior to the implementation of any trees located within 4.5 metres of the highway, details of the proposed tree pits shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity enhancement in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019).

C33 Notwithstanding the submitted ecological documents, prior to the commencement of development, an ecological design strategy (EDS) addressing the creation of mitigation and compensation habitat both on and off site shall be submitted to, and approved in writing by, the Local Planning Authority. The EDS shall include the following:

- Purpose and conservation objectives for the proposed works;
- Review of site potential and constraints;
- Detailed design(s) and/or working method(s) to achieve stated objectives;
- Extent and location/area of proposed works on appropriate scale maps and plans;
- Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- Persons responsible for implementing the works;
- Details of initial aftercare and long-term maintenance;
- Details for monitoring and remedial measures; and
- Details for disposal of any wastes arising from works.

The EDS should include provision for at least 8% of structures to include at least one bird/bat box of appropriate design and installation.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of biodiversity enhancement in accordance with Policy LP28 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the CEMP needs to be in place from the outset of the development.

C34 No development other than groundworks and foundations shall take place until provision has been made for fire hydrants in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Prior to the first occupation of any dwelling (or building where appropriate) to be served by the scheme, written confirmation shall be submitted to and approved in writing by the Local Planning Authority that the scheme has been implemented in full and is certified as being ready for use.

Reason: In order to ensure that sufficient resources are available for fire-fighting in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019). This is a pre-commencement condition as the scheme for fire hydrants needs to be agreed at the outset of the development.

- C35 Prior to the occupation of the residential development hereby approved, details of the replacement footbridge on the Public Right of Way (PRoW) located at the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the works for the replacement footbridge shall be carried out in accordance with the approved details prior to first occupation of the dwellings and shall thereafter be retained and available for public use.

Reason: In the interests of promoting sustainable travel with improvements made to a designated PRoW route from the outset of the development, in accordance with Policy LP13 of the Peterborough Local Plan (2019)

## **Statement of compliance**

The proposal as submitted was not in accordance with local and national planning policy. The local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Amendments were discussed and agreed with the applicant to bring the proposal into compliance with policy, and the application can therefore be approved in accordance with Paragraph 38 of the National Planning Policy Framework (2023).

## Authorisation

Authorised by:

A handwritten signature in black ink, appearing to read 'A Chapman', with a long, sweeping horizontal stroke at the end.

**Adrian Chapman**  
Executive Director: Place and Economy

Date the decision was made: 18 December 2023

### General Notes

- 1.1 Planning permission does not constitute approval under the Building Regulations or By-law approval relating to new streets and buildings.
- 1.2 It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.
- 1.3 The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application site and/or in close proximity to the development should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

### Appeals to the Secretary of State

- 1 The applicant has a right to appeal to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990.
- 2 If you want to appeal against your local planning authority's decision then you must do so within **6 months** of the date of this notice.
- 3 Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.  
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 4 The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 5 The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- 6 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

### **Purchase Notices**

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Starting Work too soon**

If you start work on this development before complying with conditions that require to be met before work starts, your action has made this planning permission invalid. A fresh planning application will then be required, with the associated cost and delay.

### **Street Naming and Numbering**

If your development will result in the creation of new street(s) and/or new dwelling(s) and/or new premises it will be necessary for the Council, as Street Naming Authority, to allocate appropriate street names and property numbers. Before development is commenced, you should contact the Technical Support Team Manager - Highway Infrastructure Group on (01733) 453461 for details of the procedure to be followed and the information required. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings.

Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and is not chargeable and must be dealt with as a separate matter.

### **Third Party Rights to challenge a planning decision**

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>