TOWN & COUNTRY PLANNING ACT, 1990

PLANNING PERMISSION

Westmere Ltd
C/o PRC Fewster
Upper Tilers Barn
3 Keller Close
Kiln Farm
Milton Keynes MK11 3LL

Huntingdonshire District Council in pursuance of powers under the above Act, hereby **GRANT PERMISSION** for:

Erection of 426 mixed residential units, with public house and community hall with ancillary parking
Land At Riverside Mill, Mill Lane, Little Paxton, St Neots, Cambridgeshire

in accordance with your application received on 13th October 2003 and the plans, drawings and documents which form part of the application subject to the following condition/s and reason/s.

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

1. Reason. To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.

2. Condition. The development hereby granted permission shall be carried out in complete accordance with the approved plans (as attached to this permission) unless otherwise amended by the requirements of Condition No 8 of this permission.

2. Reason. In order to ensure that an appropriate quality of development is forthcoming in respect of this important site in accordance with Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan, 2003 and Policy HL5 of the Huntingdonshire Local Plan Alteration 2002.

3. Condition. No demolition or development works shall commence until an overall phasing plan has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include a schedule for the development of the proposed residential parcels/units and a scheme for the provision of the related public and community infrastructure. Development shall then take place in accordance with the approved phasing plan unless otherwise agreed by the Local Planning Authority.

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3. Reason. In order to ensure that the development of this important site takes place in a co-ordinated manner with the required public and community infrastructure being provided as appropriate.

4. Condition. No demolition or development works shall commence until a detailed scheme for the delivery of the required on-site and off-site highway works has been submitted to and agreed in writing by the Local Highway Authority.

4. Reason. In order to ensure that the required works and improvements to the local highway infrastructure are programmed to be carried out in an appropriate manner and timescale.

5. Condition. Prior to the commencement of any demolition or development works a scheme (including a specification and timescale for its provision) for the provision of surface water and foul drainage shall be submitted to and agreed in writing by the Local Planning Authority. The drainage scheme shall then be completed in accordance with approved specification/timescale unless otherwise agreed by the Local Planning Authority.

5. Reason. To ensure the satisfactory provision of surface water and foul drainage.

6. Condition. No demolition or development works shall commence until a detailed scheme for the implementation of the proposed landscape strategy (as shown on Drawing No 4981/PL12.100/F) has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall then be appropriately implemented, in accordance with the agreed phasing plan and timescale, to the satisfaction of the Local Planning Authority.

6. Reason. To ensure that the proposed landscaping takes place in accordance with the approved Landscape Strategy in the interests of visual and environmental amenity.

7. Condition. No demolition or development works, or any other works or operations, shall commence on site until all of the existing trees and hedgerows, which are to retained, have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of appropriate forms of fencing to protect the retained trees and hedgerows before any other works commence on the site. The agreed fencing shall then be retained intact for the duration of the development works and until all equipment, machinery and surplus materials have been removed from the site. If any of the protective fencing is damaged all operations within the immediate vicinity of the tree/hedgerow shall cease until it has been repaired in accordance with the approved details. Nothing shall be stored or placed, or ground levels altered in any way, within any of the safeguarded areas without the prior written approval of the Local Planning Authority.

7. Reason. To ensure that the existing trees and hedgerows, which are essential features of this site, are appropriately protected in the interests of visual and environmental amenity.

8. Condition. Notwithstanding any details shown on the approved plans full details of all of the following matters shall be submitted to and agreed in writing by the Local Planning Authority prior to construction works commencing and thereafter these approved details shall be satisfactorily implemented;

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* External materials and finishes.
* Doors and windows
* Cills, reveals and lintels.
* Dormers, rooflights, eaves, verges and other roof details.
* Parapets, railings, balconies and rainwater goods.
* Glazing systems and other forms of cladding.
* Boundary treatments, walls, fences and gates.
* Porches, meter boxes and other extractors.
* Bin stores and other collection facilities.
* Hard surfacing including decking.
* Highway treatments including internal junctions, squares and parking courts.

8. Reason. To ensure an appropriate quality of development in accordance with Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan, 2003 and Policy HL5 of the Huntingdonshire Local Plan Alteration, 2002.

9. Condition. No demolition or development works shall commence until a scheme of ecological mitigation, as identified in the applicable chapters of the Environmental Statement submitted with this application, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme of ecological mitigation, which will also include details of all proposed habitat enhancement measures, shall then be implemented to the satisfaction of the Local Planning Authority.

9. Reason. To ensure that the proposed ecological mitigation and habitat enhancement measures (as identified within the Environmental Statement) are appropriately implemented in the interests of environmental and ecological amenity.

10. Condition. Prior to construction works commencing a scheme for the provision of fire hydrants within the development shall be submitted to and agreed in writing by the Local Planning Authority.

10. Reason. To ensure this infrastructure is provided in the interests of community safety.

11. Condition. Prior to the commencement of development a scheme for the investigation and recording of any contamination, including in relation to any impacts upon ground and surface waters on and off the site that may be affected by residual contamination, and including detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless of such contamination shall be submitted to and agreed in writing by the Local Planning Authority. All required decontamination works shall be completed, in accordance with the requirements of the approved scheme, prior to the occupation of any part of this development.

11. Reason. In order to safeguard the environment of future residents and to ensure that these development proposals will not cause pollution of controlled waters in accordance with the requirements of Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003.

12. Note to applicant. This permission is related to an Agreement entered into by the applicant and the Huntingdonshire District Council, under Section 106 of the Town and Country Act 1990.

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13. Note to applicant. The applicant is advised that prior approval is required in accordance with the provisions of Section 80 of the Building Act, 1984 before any works of demolition commence. Further advice should be obtained from the District Council's Environmental Health Division.

14. Note to applicant. Attached for the applicants information is a copy of Transco's consultation response identifying their plant within the vicinity of the application site.

15. Note to applicant. For the purposes of Article 22 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) the following is a summary of the reasons and policies relevant to the decision:

The reasons for the decision are the need to meet the housing requirements of the whole community (including those in need of affordable housing), widen housing opportunity and create mixed communities, to make more efficient use of land, and the re-use of buildings in industrial or commercial use (as advocated by PPG3 Housing); to accommodate housing principally within existing urban areas, planning for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling (as advocated by PPG13 Transport); to avoid development that increases flood risk through its effects on floodplain flows and storage (as advocated by PPG25 Development and Flood Risk).

The Local Planning Authority has had regard to the provisions of the Development Plan comprising the Cambridgeshire and Peterborough Structure Plan 2003 and the Huntingdonshire Local Plan 1995 as altered by the Huntingdonshire Local Plan Alteration 2002, so far as material to the application and to all other material considerations including the Environmental Information submitted with the application to avoid, reduce and offset the major adverse effects of the development.

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NOTES

1. **Rights of Appeal under the Town and Country Planning Act, 1990 Section 78, The Planning (Listed Buildings and Conservation Areas) Act 1990 Section 20 and the Town and Country Planning (Control of Advertisement) Regulations 1989.**
2. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, he/she may appeal to the Secretary of State for the Environment, Transport and the Regions within;
   - **Six months from the date of this decision notice.**
   - **Eight weeks from the date of this notice if the decision relates to an advertisement.**
3. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively all forms can be downloaded from their website www.planning-inspectorate.gov.uk. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Orders and to any directions given under the Orders. He does not, in practice, refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.
4. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, Transport and the Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act, 1990.
5. In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. This decision notice does not convey any approval or consent which may be required under any enactment, bye-law or regulation other than Section 57 of the Town and Country Planning Act 1990.

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