

Application Ref: 21/01653/OUT

Proposal: Outline application with all matters reserved except for access for the demolition of the existing garden centre and associated buildings; closure of the existing commercial accesses and replacement with three private driveways; and, erection of up to 3 residential dwellings

Site: Helpston Garden Centre, West Street, Helpston, Peterborough
Applicant: Mr R Goodfellow

Agent: DLP Planning Ltd
Site visit: 08.03.21

Called in by: Councillor Over and Executive Director: Place and Economy
Reason for Call in: Development would be in the open countryside, outside the settlement boundary and application is a departure from the Local Plan

Case officer: Mr M A Thomson
Telephone No. 01733 4501733 453478
E-Mail: matt.thomson@peterborough.gov.uk

Recommendation: **GRANT** subject to conditions

1 Description of the site and surroundings and Summary of the proposal

Site Description

The application site extends to approximately 0.63ha (1.55 acres) and comprises a former garden centre (Use Class A1) with car parking, ancillary outbuildings and external storage and sales areas.

At the front of the application site there is a large gravel car park running the entire width of the site to a depth of approximately 20m, where there are two points of vehicle access onto West Street.

Beyond the car park is the main garden centre complex, which comprises a number of glass houses located centrally within the plot, with external sales areas to the east and north, and external storage at the rear of the site. There are a number of other buildings within the site, including office and staff rooms along the western boundary. The site is bounded by a number of mature trees and established landscaping along the north, east and western boundaries, with a manicured hedge and ditch along the front of the site.

The application site is situated 175m west from the current built form of the village and the identified settlement boundary. To the north and east of the appeal site lies open fields, with residential development in ribbon form to the south and west. West Street garage is located to the south-east, which is also outside the settlement boundary, and there is a parcel of land between West Street garage and the edge of the village which has been allocated for residential development under Policy LP41.5 of the 2019 Local Plan. This allocated housing site is situated within the settlement boundary whilst the application site is not. The site is therefore, in policy terms, located within the open countryside.

Pre-Amble

This site has extensive planning history, which started with a pre-application enquiry in 2016 seeking to establish the lawful use of the land, but also sought advice on the erection of 14x dwellings. Officers noted that the lawful use of the land as Class A1 (retail), now Class E, and that the site would meet the definition of previously developed land under the National Planning Policy

Framework definition, now the 2021 version, however, Officers also provided clear advice that any such proposal for residential development in this open countryside location would not be supported.

In 2017 planning permission was sought under App Ref: 17/00848/OUT for the 'Demolition of existing buildings and erection of up to 7 dwellings (all matters reserved)'. After lengthy discussions with the Agent it was concluded that the application was to be refused on grounds of principle, character, and loss of a community facility. This application was withdrawn on the 10th September 2019.

In 2019, outline planning permission was sought under App Ref: 19/01865/OUT to clear the application site and erect up to 7x dwellings, committing to access only and all other matters were reserved. During the consideration period there was correspondence between the Case Officer and Agent, where it was concluded both parties were at an impasse with respect to the principle of development and the site being outside the settlement boundary, as well as concerns of character. On the 6th April 2020 planning permission was refused for the following reasons:

R 1 The application site is located outside of the designated village envelope of Helpston, and therefore lies within the open countryside. The proposed development, for 7no. self-build residential dwellings, is not demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation and access to natural greenspace, transport or utility services; does not satisfy the 'exception' test set out within Policy LP8 of the Peterborough Local Plan (2019); does not accord with Policy LP11 of the Local Plan; and is not minerals or waste development. Accordingly, by definition, it is contrary to the vision, objectives, development strategy and policies of the Local Plan, as set out in Policy LP2 of the Peterborough Local Plan (2019).

R 2 Notwithstanding that matters of layout and appearance are to be reserved, the proposed dwellings would be required to be sited in such a way as to result in a form of development which is at odds with the sparse, spacious ribbon form of development located adjacent and opposite to the site. The resulting development would therefore appear incongruous to this established character, and the site overdeveloped and cramped compared to nearby residential development. The proposal would appear a dominant feature in wider views and would unacceptably alter the edge of village character of Helpston when approaching from the north-west. Accordingly, the proposed development is contrary to Policy LP16 of the Peterborough Local Plan (2019).

The 2019 application was subject to an appeal (APP/J0540/W/20/3253778); whilst the Appellants did not challenge the Council's 5-Year Housing Land Supply, an argument was made in respect of Policy LP8 and self-build development. The appeal was dismissed by the Planning Inspectorate, and a copy of this decision is attached at Appendix 1. Of particular note are paragraphs 8, 11, 12 19 and 22.

Proposal

The Applicant seeks outline planning permission with all matters reserved except for access (appearance, landscaping, layout and scale) for: the demolition of the existing garden centre and associated buildings; closure of the existing commercial accesses and replacement with three private driveways; and erection of up to 3 residential dwellings.

Whilst all matters are reserved, in support of the application are indicative plans which illustrates three detached dwellings with independent access points from West Street, detached double garages and off-street parking to front and rear gardens extending beyond to the rear.

2 Planning History

Reference	Proposal	Decision	Date
19/01865/OUT	Outline application for the demolition of existing buildings and erection of up to 7 dwellings (self build purposes) with access secured and all matters reserved	Refused	04/04/2020
17/00848/OUT	Demolition of existing buildings and erection of up to 7 dwellings (all matters reserved)	Withdrawn by Applicant	10/09/2019
06/00947/FUL	Continued siting of two mobile storage units and one lock-up unit	Permitted	10/08/2006
91/P0097	Change of use from agriculture to garden centre	Withdrawn by Applicant	23/03/1992

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (February 2019)

Section 9 - Promoting Sustainable Transport

Section 11 - Making Effective Use of Land

Section 12 - Achieving Well Designed Places

Section 14 - Meeting Climate Change

Section 15 - Conserving and Enhancing the Natural Environment

Section 16 - Conserving and Enhancing the Historic Environment

Peterborough Local Plan 2016 to 2036 (2019)

LP02 - The Settle Hierarchy and the Countryside

The location/scale of new development should accord with the settlement hierarchy. Proposals within village envelopes will be supported in principle, subject to them being of an appropriate scale. Development in the open countryside will be permitted only where key criteria are met.

LP03 - Spatial Strategy for the Location of Residential Development

Provision will be made for an additional 21,315 dwellings from April 2016 to March 2036 in the urban area, strategic areas/allocations.

LP08 - Meeting Housing Needs

LP8a) Housing Mix/Affordable Housing - Promotes a mix of housing, the provision of 30% affordable on sites of 15 or more dwellings, housing for older people, the provision of housing to meet the needs of the most vulnerable, and dwellings with higher access standards

LP8b) Rural Exception Sites- Development for affordable housing outside of but adjacent to village envelopes maybe accepted provided that it needs an identified need which cannot be met in the village, is supported locally and there are no fundamental constraints to delivery or harm arising.

LP8c) Homes for Permanent Caravan Dwellers/Park Homes- Permission will be granted for permanent residential caravans (mobile homes) on sites which would be acceptable for permanent dwellings.

LP09 - Custom Build, Self-Build and Prestige Homes

a) Permission will not be granted for development involving the loss of prestigious, top-of-the market housing unless there is clear evidence of appropriate marketing or new prestigious homes would be created, the dwelling has been realistically marketed and does not contribute to the

historic environment.

b) Proposals or residential development will be considered more favourably if they provide appropriate opportunities for custom build and self build.

LP11 - Development in the Countryside

Part A: Re-Use and Conversion of Non-Residential Buildings for Residential Use in the Countryside- Change of use proposals will be supported provided that the use has not ceased, for agricultural buildings they were not constructed in the last 10 years, no more than 3 units would be created, significant reconstruction is not required and there are no fundamental constraints to delivery or harm arising.

Part B: Replacement of Permanent Existing Dwellings in the Countryside- Proposals will be supported provided that the residential use has not been abandoned, it is a permanent structure, and the dwelling is not of architectural or historic merit. The replacement dwelling should be of an appropriate scale and design and is located on the site of the original house (unless suitable justification is provided).

Part C: Mobile Homes/Temporary Dwellings in the Countryside- Applications will be considered in the same way as permanent dwellings.

Part D: New Dwellings in the Countryside- Permission for a permanent dwelling in the countryside for an agricultural worker will only be granted to support existing agricultural activities on a well-established agricultural unit subject to demonstration of a functional need which cannot be met by an existing dwelling or conversion.

Part E: The Rural Economy- Development involving the expansion or conversion of an existing employment use/building or use for tourism/leisure will be supported provided it is an appropriate scale, would not adversely affect the local community/services and would not cause harm to the character of the area and would be accessible.

Part F: Protecting the Best and Most Versatile Agricultural Land- Proposals should protect this land to ensure the continuation of the agricultural economy. With the exception of allocated sites proposals affecting this land will only be accepted if there is lower grade land available, the impacts have been minimised through design solutions and where feasible the land is restored when the development ceases.

Part G: Agricultural Diversification- Proposals will be permitted provided that the location and scale are appropriate for the use and the scale is appropriate for the business.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high-quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP21 - New Open Space, Sport and Recreation Facilities

LP21 Part A New Open Space, Outdoor Sport and Recreation Facilities- Residential schemes of 15 or more dwellings will be required to make appropriate provision for new or enhanced open space, sports and recreation facilities in accordance with the standards. The council's first preference is for on-site provision.

LP21 Part B: Indoor Sports and Recreation Facilities- All residential development below 500 dwellings will contribute to the provision of 'off site' strategic indoor sports and recreation facilities by way of CIL. For sites of 500 dwellings more a S106 Planning Obligation will be sought.

LP21 Part C Designated Sites- Mitigation of Recreational Impacts of Development- Where development has the potential to have a significant adverse effect on the integrity of a designated international or national site for nature conservation as a result of recreation pressure, the development maybe required to provide open space of sufficient size, type and quality over and above the standards to mitigate that pressure.

LP27 - Landscape Character

New development in and adjoining the countryside should be located and designed in a way that is sensitive to its landscaping setting, retaining and enhancing the landscape character.

LP28 - Biodiversity and Geological Conservation

Part 1: Designated Site

International Sites- The highest level of protection will be afforded to these sites. Proposals which would have an adverse impact on the integrity of such areas, and which cannot be avoided or adequately mitigated will only be permitted in exceptional circumstances where there are no suitable alternatives, overriding public interest and subject to appropriate compensation.

National Sites- Proposals within or outside a SSSI likely to have an adverse effect will not normally be permitted unless the benefits outweigh the adverse impacts.

Local Sites- Development likely to have an adverse effect will only be permitted where the need and benefits outweigh the loss.

Habitats and Species of Principal Importance- Development proposals will be considered in the context of the duty to promote and protect species and habitats. Development which would have an adverse impact will only be permitted where the need and benefit clearly outweigh the impact. Appropriate mitigation or compensation will be required.

Part 2: Habitats and Geodiversity in Development

All proposals should conserve and enhance avoiding a negative impact on biodiversity and geodiversity.

Part 3: Mitigation of Potential Adverse Impacts of Development

Development should avoid adverse impact as the first principle. Where such impacts are unavoidable, they must be adequately and appropriately mitigated. Compensation will be required as a last resort.

LP29 - Trees and Woodland

Proposals should be prepared based upon the overriding principle that existing tree and woodland cover is maintained. Opportunities for expanding woodland should be actively considered. Proposals which would result in the loss or deterioration of ancient woodland and or the loss of veteran trees will be refused unless there are exceptional benefits which outweigh the loss. Where a proposal would result in the loss or deterioration of a tree covered by a Tree Preservation Order permission will be refused unless there is no net loss of amenity value or the need for and benefits of the development outweigh the loss. Where appropriate mitigation planting will be required.

LP32 - Flood and Water Management

Proposals should adopt a sequential approach to flood risk management in line with the NPPF and council's Flood and Water Management SPD. Sustainable drainage systems should be used where appropriate. Development proposals should also protect the water environment.

LP33 - Development on Land Affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

Helpston Neighbourhood Plan

Helpston Parish Council is preparing a neighbourhood plan for the parish of Helpston. The parish council held a formal consultation on their draft neighbourhood plan during summer 2021. The Parish considered all responses, and formally submitted their neighbourhood plan to the Council in December 2021. The Council held the 'Regulation 16' consultation on the submitted neighbourhood plan from Friday 17 December 2021 to Tuesday 15 February 2022.

The Local Plan is currently being assessed by the Planning Inspectorate to ensure the Plan accords with the basic conditions and whether the plan should proceed to referendum.

In accordance with Paragraph 48 of the NPPF (2021), Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

As such, the following Neighbourhood Plan Policies shall be given weight in the determination of this application:

Policy A: Built Environment

Peterborough Design and Development in Selected Villages SPD (2011)

4 Consultations/Representations

Helpston Parish Council (08.11.21)

No objection - Helpston Parish Council has given considerable thought to this outline application which concerns a site that lies outside of the Local Plan Village Envelope. Also note and record that this is a site for which the City has refused a previous application for seven self-built properties, and which was upheld by a government appointed inspector at appeal.

Helpston Parish Council is fully supportive of the aims and objectives of the Local Plan and Village Envelope and its relevance to applications concerning land outside of that envelope.

However, the land in question now falls under Class E regulations, which the agents for the applicant have made abundantly clear, would permit applications for a variety of Commercial, Business and Services uses, and which would be difficult to oppose under current planning guidelines.

Additionally, the Parish Council is aware that the opinions of many of the occupants of nearby properties would be against any of these categories of use being practically applied to this site. Reluctantly therefore, the Parish Council has determined not to oppose the development of three residential dwellings on the site as detailed in the subject application on condition that:

- a) the site is not incorporated into the existing village envelope as an extension to that envelope;
- b) that this decision of non-opposition is not taken as a precedent for approval of further linear development on land along West Street between numbers 36 and 38 or, indeed, on land on the opposite side of the road;
- c) that the Parish Council and City Council be fully involved in all reserved matters concerning the specification of the materials used in the construction of the dwellings and is given an opportunity to express its opinions about them so that City take them fully into account when considering a full application;
- d) that the applicant and City Planning department consider a slightly "staggered" building line for each of the proposed dwellings so as to remove any possibility of a hard-line frontage to this north side length of West Street.

PCC Tree Officer (19.11.21)

No objection – Further to the receipt of amended plans the access arrangements to Plot 3, by locating the access outside of the root protection area (RPA) of the semi-mature, category B Alder NT5, is acceptable, to avoid unnecessary disturbance to the tree. Please condition accordingly the revised detail with regards to the access to Plot 3.

PCC Wildlife Officer (21.12.21)

No objection - The site is placed within relatively poor habitat for biodiversity and the buildings on site have no significant bird or bat roosting interest. The hedgerows surrounding the site, however, are significant ecological constraints. Conditions are sought to be attached to ensure that the Local Planning Authorities position on ensuring that ecological connectivity is maintained.

As the site is currently almost entirely hard standing and buildings, it is expected that the proposal would result in a net gain of biodiversity.

A site visit was undertaken on the 21st of December where it was determined that the buildings only had significant interest for nesting birds and no bat roosting interest.

PCC Archaeological Officer (08.03.22)

No objection – Further to clarification that ground works to the car park at the front of the site would

be shallow, however, the application site sits in an area of known archaeological significance. Some 70m to the west King Street (B1443) follows the course of the Roman road which ran northwards from the town of *Durobrivae*, near Waternewton in Cambridgeshire, to join Ermine Street near Ancaster in Lincolnshire. To the west of King Street are the scheduled remains of the medieval motte and bailey complex known as Torpel Manor (SM NHLE List entry 1006812). In October 2015 test pits excavated within the property of Torpel House immediately to the west of the proposed development site produced residual pottery of Early Medieval and Medieval date. Medieval stray finds have also been recorded within the general area.

Some degree of truncation of upper deposits caused by the use of the site as a nursery may be anticipated. However, given the close proximity of the site to Torpel Manor, the area of proposed groundwork should be subjected to an evaluation by trial trenching. The archaeological work may be conditioned. In compliance with NPPF and Peterborough Local Plan, the programme of evaluation by trial trenching aims to gain information about the archaeological significance of the proposed development area, including the presence, character, extent, date, integrity, state of preservation and quality of known and/or potential heritage assets.

As such, a condition is sought with respect to securing a programme of archaeological work including a Written Scheme of Investigation.

PCC Pollution Team (11.11.21)

No objection - Subject to conditions being appended securing a contaminated land assessment, as well as informatives with respect to dealing with hours of construction, and dealing with dust, smoke and odour.

PCC Peterborough Highways Services (25.11.21)

No objection - The proposal has been amended to show each individual access measuring 3.5m in width, which is acceptable to the LHA. The proposal is considered unlikely to have a material impact upon the public highway, however, a number of conditions are sought with respect to access, parking, turning and visibility splays, removal of redundant access(es), a construction management plan, as well as relevant informatives.

PCC Open Space Officer (23.11.21)

No objection – the amount of development falls below the requirement for off-site public open space contribution and would not affect any existing public open space or amenity landscaping.

Welland Deeping IDB (03.11.21)

No objection - If this application were to reach a full or reserved matters stage then we would expect to be informed of what the foul water provisions will be, as well as what form the proposed SUDS (Sustainable Urban Drainage Systems) scheme will take.

It is noted from the proposed access arrangements drawing submitted that some new accesses to cross the private frontage dyke are to be installed with an existing access to be made redundant. Should planning permission be granted then applications for consent to alter a watercourse would need to be submitted to the Board in advance of any site works. These are subject to the agreement of technical details with the Board and are currently free of charge to submit.

Local Residents/Interested Parties

Initial consultations: 29

Total number of responses: 2

Total number of objections: 1

Total number in support: 0

Ward **Councillor Over** has objected to the proposal as the development site is situated outside the settlement boundary of the village in the open countryside. Therefore, if Officers were minded supporting the application, he requested it be called into Planning and Environmental Protection

Committee for final determination.

The second representation received relates to Parish Council comments, which are summarised above.

5 Assessment of the planning issues

- a) The Principle of Development
- b) Design and Character
- c) Access and Parking
- d) Neighbour Amenity
- e) Future Occupier Amenity
- f) Biodiversity
- g) Archaeology
- h) Contamination

a) The Principle of Development

The application site is situated within the open countryside, outside of the settlement boundary of Helpston village. This was confirmed by the Planning Inspector under Paragraph 12 of the 2021 appeal statement (APP/J0540/W/20/3253778), which states, '...that the appeal site was physically detached from the settlement boundary of Helpston, forming part of the fringes of the settlement, lying within the countryside'.

As such, Policy LP2 is the starting point, which states development in the countryside (i.e. outside the boundary of all settlements in the hierarchy) will be restricted to that which is:

- demonstrably essential to the effective operation of local agriculture, horticulture, forestry,
- outdoor recreation and access to natural greenspace, transport or utility services; or
- residential development which satisfies the 'exception' test set out in policy LP8; or
- development in accordance with Policy LP11; or
- minerals or waste development in accordance with the separate Minerals and Waste Development Plan Documents.

All other residential development outside of village envelopes and outside of Peterborough Urban Area boundary will, by definition, be contrary to the vision, objectives, development strategy and policies of this Local Plan, and should be refused, unless otherwise acceptable within a made Neighbourhood Plan

The proposed development would be for open market housing, it would not be related to agriculture et al., nor would it be forthcoming as affordable housing. As such, the principle of development is contrary to Policies LP2, LP8 and LP11 of the Peterborough Local Plan (2019).

i) 5-year housing land supply (5YHLS)

With respect to the Peterborough City Council Five Year Land Supply Report (October 2021), the Council has identified land that is estimated to be capable of delivering 4,527 dwellings. The five-year requirement during this period is 4,190. The Council can therefore demonstrate 337 additional dwellings, above minimum requirements, for the five-year period. As such, the Council can demonstrate 5.40 years' worth of supply over the five-year period.

In addition to this, based on the 2017 to 2020 housing monitoring data, this showed that the Council had met 114% of the Housing Delivery Test requirements.

In short, the Council has a 5YHLS and is meeting its delivery test and is doing so comfortably. Therefore, whilst this proposal would go towards helping meet this requirement, the weight which this benefit can be attached to the planning balance is extremely limited.

ii) Self-Build Register

At the time of the previous appeal, the Council reviewed its Self-Build Register, where applications had come forward for self-build dwellings and/or a CIL exemption was sought. It should be noted that it is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a charging authority in response to a requirement under the CIL Regulations. The Local Planning Authority is required to take this declaration in good faith, as the onus is on the Applicant to sign and demonstrate that the property qualifies as a self-build.

Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area; at the time of writing the 2020 appeal statement, the combination of permissions granted, and exemptions received demonstrate that the demand for self-build and custom housing (as identified by the register) is comfortably being met.

The following tables were taken from the Council's 2021 Annual Monitoring Report, which illustrates the number of CIL self-build exemptions is up from 62x to 76x over last year, and the number of self-build exemptions on part 1 of the register is up from 26x to 30x during the same period. As such, the demand for self-build and custom housing (as identified by the register) continues to be comfortably being met. This therefore also holds limited weight in the planning balance.

Table 8: Self-build and Custom Housing Register

Base Period	Number On Part 1 at end of base period	Number On Part 2 at end of base period	Permissions Granted
31 Oct 2015 – 30 Oct 2016	3	0	N/A
31 Oct 2016 – 30 Oct 2017	17	0	1
31 Oct 2017 – 30 Oct 2018	5	0	5
31 Oct 2018 – 30 Oct 2019	1	0	1
31 Oct 2019 – 30 Oct 2020	4	0	0

Table 9: Self-build and Custom Housing Permissions

3 year period	Permissions Required (doesn't apply to anyone on Part 2)	Permissions Granted to date in period	Requirement met?
31 Oct 2016 – 30 Oct 2019	3	7	Yes
31 Oct 2017 – 30 Oct 2020	17*	6	No**
31 Oct 2018 – 30 Oct 2021	5	1	To be confirmed post 30 Oct 2021
31 Oct 2019 – 30 Oct 2022	1	1	To be confirmed post 30 Oct 2022
31 Oct 2020 – 30 Oct 2023	4		To be confirmed post 30 Oct 2023

*one entry on the register is for an association seeking 7-8 plots.

** Please see paragraph 5.17 for full explanation

Table 10: CIL Self Build Exemptions

Base Period	CIL Self-build Exemptions	Number on Part 1 of Register
31 Oct 2015 – 30 Oct 2016	22	3
31 Oct 2016 – 30 Oct 2017	18	17
31 Oct 2017 – 30 Oct 2018	10	5
31 Oct 2018 – 30 Oct 2019	15	1
31 Oct 2019 – 30 Oct 2020	11	4
Totals	76	30*

*this figure does not take account of renewals, if these are removed the total would be 28.

iii) Marketing Exercise and Loss of the Employment Use

It is noted that, in respect of the recently dismissed appeal on the site, the Inspector made reference (paragraph 8 at Appendix 1) to the lack of attempt having been made to market the site, either to remain as a nursery, or other suitable use. The Inspector also stated that it was unclear as to why this site should not continue to be attractive and viable, albeit with a different operator, not least because of the growth taking place in the area. Crucially however, the Inspector did not cite this as a reason for dismissing the appeal and nor did it form a reason for refusal from the LPA.

The application has been accompanied by a Valuation Report (Richardson, May 2021), where Officers accept in good faith that, financially, the site is in a poor state of repair and there are financial difficulties in refurbishing the site, securing a positive return in face of Covid, Brexit, changing market habits and nearby competition.

Notwithstanding this, Officers are of the view that the application site is not in 'employment use' which is generally accepted as being office use or Classes B2 (general industry) and B8 (storage and distribution). It is accepted that the lawful Class E use of the site does have the potential to generate employment opportunities, but it is not classed as an 'employment use'. Further, the site is not readily capable of being adapted or modified for office use. As such, the provisions of Policy LP4, and the requirement for a marketing exercise to be undertaken do not bite in the case of the application site.

iv) Previously Developed Land

Paragraph 119 of the NPPF (2021) states, 'planning ... decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land'.

This is however subject to sub-paragraph 47, which states, 'except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity'.

Paragraph 119 should be read in conjunction with 120 of the NPPF (2021) which states, 'planning ... decisions should ... give substantial weight to the value of using suitable brownfield land within settlements for homes...'

As such, Officers may give weight to the development being on previously developed land, however, Officers cannot give 'substantial' weight as the application site is situated within the open countryside and is detached from the settlement boundary.

v) Discussion

The Parish Council have not objected to this proposal, advising that they have given this proposal considerable thought, that they are aware it is outside the settlement boundary, and the site has been subject to a number of refusals. However, the Parish Council are conscious that the application site has a lawful Class E use, the site could therefore be used for a variety of commercial, business and service uses, which would be difficult to oppose given the wide range of uses which currently fall within Class E. In addition to this, Officers understand that occupants of nearby properties would be against any of these uses being carried out from the site, therefore, the Parish Council have stated they do not object to the proposal. The Parish Council have caveated that a lack of objection does not mean that they support development in the open countryside.

Officers note the Parish Council's comments, that the site is in the open countryside, and that there are concerns the proposal could form an alternative, unrestricted Class E use. In addition, the submitted viability report advises that the application site would require considerable investment and would likely achieve a poor rate of return which gives cause for concern that the site would likely remain in its current partially derelict and unsightly state without redevelopment for an alternative use. This gives rise to significant harm to the visual amenity of the area.

The proposal would remove these unsightly buildings, and for the reasons discussed in detail below, providing the scheme came forward as per the submitted indicative layout, the redevelopment for 3no. residential dwellings would represent an appropriate form of development given the ribbon development along West Street. Accordingly, it is not considered that the proposal would improve the wider landscape character of the area, and would reflect the character and appearance of the immediate area to the betterment of the existing situation.

As such, whilst the Council can demonstrate a robust 5 year housing land supply, is meeting its housing delivery test and is meeting its demand for self-build and custom housing, and the proposal would represent residential development in the open countryside which is to be tightly controlled, the proposal would remove a number of unsightly buildings situated adjacent to a number of residential dwellings within a prominent location in the open countryside and improve the visual amenity of the area. Dwellings on the site would follow the established form of ribbon development, and would represent an effective use of previously developed brownfield land. , Accordingly, and in this instance, Officers are content to depart from the Local Plan and support the principle of development.

vi) Helpston Neighbourhood Plan

As set out within the Draft Helpston Neighbourhood Plan, the majority of dwelling types within the village are 3+ bed properties, there are very few smaller dwellings, and even fewer of these are available to meet the need for affordable or social housing. In addition to this, built development in Helpston has not followed a unified pattern or design. There is a mixture of domestic dwellings that include single storey rented accommodation through to multi-story private accommodation, almshouses, former railway buildings, and converted former public houses. As such, Policy A: Built Environment states that development of more than 2x dwellings, but less than 5x, should provide a range of dwelling sizes in terms of bedrooms.

Officers are conscious that this scheme has been submitted to address previous reasons for refusal and has been designed to address the most recent appeal decision (January 2021). In addition to this, Officers are mindful that the Neighbourhood Plan is currently being considered by the Inspectorate, however, it has not yet been subject to a referendum, nor has it been found sound, therefore Officers may only attach limited weight in this instance.

For the avoidance of any doubt, should outline planning permission be granted, the permission would be extant therefore the requirements of the Neighbourhood Plan to dictate dwelling sizes could not take effect at the Reserved Matters stage.

b) Design and Layout

Whilst this is an outline application, indicative drawings have accompanied the proposal which illustrate three dwellings set back from West Street, on a similar building line to No's 38 and 40 West Street, with detached double garages to front and long rear gardens.

It's important to emphasise that No's 38 and No. 40 West Street are indeed new houses, however, these replaced a pair of semi-detached dwellings, therefore these dwellings are not 'new' in the sense that these are new build properties which have been permitted in the open countryside (App Ref: 08/00564/FUL).

Paragraphs 11 and 12 of the 2021 appeal decision raised a number of concerns with the proposed development, relating to the indicative depth of development, the cramped and overdeveloped form, the significantly smaller gardens when compared to adjacent residential properties, and the visual impact the proposal would have had from the public realm:

'...of most concern, however, would be the effect that the development would have on views of the appeal site approaching along West Street from the east and looking across from the B4143 on the approach to Helpston from the northwest. The appearance of the grouping of new properties would be prominent and incongruous, arising not only from the height of the buildings but especially from the depth of the development' (Paragraph 11, APP/J0540/W/20/3253778).

The Inspector concluded under Paragraph 12 that, *'the development on the lines envisaged would have a substantial and harmful urbanising effect on the character and appearance of the area because it would break the existing single depth linear pattern of development characteristic of this part of Helpston. The proposed dwellings would be substantial in size (4/5 bed) but would appear cramped and over-developed in their local context. In the longer run, the likely effect, if this scheme were allowed, would be to encourage further development'.*

As noted above, there are a number of dwellings situated to the west and south of the application site, these dwellings of which are situated outside the settlement boundary of Helpston and in the open countryside. However, the character of the immediate locality comprises linear dwellings with large rear gardens – a ribbon form.

The scheme has been reduced to three dwellings; whilst the submitted plans are indicative, there is a clear steer that these would be large 4/5 bed dwellings with large rear gardens and detached double garages to front, as such the development as indicated would no longer be cramped, it would be single depth and linear, and would appear as a continuation of dwellings at 38-40 West Street. As such, the visual amenity of the immediate area would be improved, and subject to appropriate design and landscaping, would be more a sympathetic development give the open countryside location.

Policy A5 of the emerging Helpston Neighbourhood Plan states that all proposals will be required to demonstrate the use of sustainable materials and reuse of existing resources. In addition to this, all new dwellings shall be provided with a minimum of 1 electric vehicle charging point on-site and housing development of more than one house must use renewable energy as the sole source of heating the dwellings, for example through the use of biomass, heat recovery, solar or heat pumps systems. As such, this matter shall be secured by planning condition.

Subject to attaching conditions which would secure materials, levels, the use of renewable energies and hard and soft landscaping, the proposal would be representative of the established character and context of the immediate locality, significantly enhance the overall visual amenity of the area through appropriate redevelopment of a redundant brownfield site, and the proposal would accord with Policies LP16 and LP27 of the Peterborough Local Plan (2019), Paragraph 130 of the NPPF (2021) and emerging Policy A of the Helpston Neighbourhood Plan (Submission Version 2021).

c) Access and Parking

As set out above, the matter of access is sought in detail as part of this application. The Local Highway Authority (LHA) originally raised concerns with respect to the proposed access widths, however, further, to receiving amended plans the LHA have raised no objections to the proposal. The LHA notes that the proposal would provide satisfactory access for the dwellings proposed, and would not result in a highway safety hazard. Conditions are sought with respect to the provision of the vehicle access points, parking, turning and visibility splays, removal of redundant access(es), submission of a construction management plan, as well as relevant informatives.

The Local Highway Authority have sought a condition be attached with respect to securing details of temporary facilities to facilitate construction works and ensure that no deposits are made onto the public highway. However, were the undertakers to obstruct the public highway, they would need to apply for a licence from the Highway Authority. As this matter is covered by separate legislation, an informative shall be attached and a condition is not considered necessary.

Whilst there are currently no requirements within the Local Plan for the provision of electric vehicle charging points, there is a requirement for each dwelling to be provided with an electric vehicle charging point within Policy A of the Helpston Neighbourhood Plan. In this instance, it is considered reasonable to secure EV charging points by condition.

Notwithstanding this matter, subject to securing all other relevant conditions the proposal would not give rise to an adverse highway safety hazard, and would accord with Policy LP13 of the Peterborough Local Plan (2019).

d) Neighbour Amenity

This is an outline application where only matters of access have been committed, which limits the extent of consideration to access only. All other neighbour amenity matters would be considered at the Reserved Matters stage, should outline planning permission be granted.

It should be emphasised that properties along West Street have very high levels of privacy and amenity. The indicative layout illustrates a dwelling which reflects No. 40 West Street, with parking to front and the dwellings parallel to the road. There are dwellings opposite the application site, whereby if the development were permitted this would increase the comings and goings of vehicles at the extremities of the day of and evening, however, it is considered the site would generate less movements than the current lawful use and would no longer require regular servicing and deliveries. Therefore, on balance, it is not considered that the proposed access points, in isolation or cumulatively, would give rise to unacceptable levels of nuisance or disturbance, and the development would accord with Policy LP17(a) of the Peterborough Local Plan (2019).

e) Future Occupier Amenity

Based on the indicative layout it is considered future occupiers would be afforded satisfactory outlook and levels of natural light to principle rooms, and would be provided with satisfactorily sized gardens, however, this matter would be considered in detail at the reserved matters application, should outline planning permission be granted.

f) Biodiversity

Wildlife

The Council's Wildlife Officer has raised no objections to the proposal, noting that the site is largely laid to hardstanding and the buildings only have potential for nesting birds. However, the surrounding hedgerow is considered to be significant value. Conditions have been sought with respect to the use of native species and no hedgerow removal during bird breeding season. A comprehensive landscaping scheme and associated management would also be sought.

Given that the proposal would remove large areas of hardstanding and existing buildings, and these areas would be replaced with garden, subject to securing the above conditions the proposal would result in an overall enhancement to the biodiversity value of the site, and would accord with Policy LP28 of the Peterborough Local Plan (2019).

Trees

The Council's Tree Officer has raised no objections to the proposal, further to the receipt of amended plans, which has relocated the access serving Plot 3 so that it no longer sits within the root protection area of NT5, a Category B tree (Alder). Subject to the development being carried out in accordance with the revised access arrangement, the proposal would accord with Policy LP29 of the Peterborough Local Plan (2019).

g) Archaeology

The Council's Archaeologist has raised no objection to the proposal, further to clarification with respect to the construction depth of the car park, however, the application site is situated within an area known for its archaeological significance, therefore, should planning permission be permitted, a condition is sought with respect to securing a Written Scheme of Archaeological Investigation. Subject to this condition, the proposal would accord with Policy LP19 of the Peterborough Local Plan (2019).

h) Contamination

The Council's Pollution Control team have raised no objections to the proposal, however, have noted that the application site is a former garden centre with extensive areas of hardstanding, office and horticultural buildings, and motor vehicle parking areas. Therefore, there is potential for contamination from the historical use and storage of chemicals, the presence of made ground, and oil/fuel contamination. As such, an investigation into site contaminates is required.

Subject to conditions being appended securing a contaminated land assessment, as well as informatives with respect to dealing with hours of construction, and dealing with dust, smoke and odour, the proposal would make provision for uncovering contaminated land, and accord with Policies LP17 and LP33 of the Peterborough Local Plan (2019) and Paragraphs 183-185 of the NPPF (2021).

i) Water efficiency

To accord with Policy LP32 (water efficiency) a condition shall be appended to minimise impact on the water environment, and all new dwellings shall achieve the Optional Technical Housing Standard of 110 litres per day for water efficiency, as described by Building Regulation G2.

j) Lifetime homes

In accordance with Policy LP8 (Meeting Housing Need), Housing should be adaptable to meet the changing needs of people over time. All dwellings should meet Building Regulations Part M4(2), unless there are exceptional design reasons for not being able to do so (e.g listed building constraints or site specific factors such as vulnerability to flooding or site topography). As such, a condition shall be appended for the avoidance of any doubt.

6 Conclusions

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

- The application site is situated within the open countryside, however, it is situated on a former employment site; the proposed development would remove this historic retail use, including the demolition of a number of tired buildings, and would allow the erection of three detached dwellings which follow the established character of the immediate area. As such the proposal would, on balance, present an overall betterment, which would preserve the character and appearance of the area, and the proposal would accord with Policy LP16 and LP27 of the Peterborough Local Plan (2019), Paragraph 130 of the NPPF (2021);
- There would be adequate space within the curtilage of the site to accommodate three dwellings without resulting in unacceptable harm to the amenities of neighbouring occupants, and there would be sufficient space to provide dedicated gardens to serve the proposed and existing dwellings, therefore the proposal would be in accordance, in accordance with Policy LP17 of the Peterborough Local Plan (2019);
- The proposed development would not constitute a highway safety hazard and it has been demonstrated that satisfactory on-site parking would be provided to serve future occupiers, in accordance with Policy LP13 of the Peterborough Local Plan (2019);
- The proposed development would improve the biodiversity value of the site, in accordance with Policies LP28 and LP29 of the Peterborough Local plan (2019); and
- The development would make provision for surface water drainage and uncovering unsuspected contamination, and would accord with Policies LP32 and LP33 of the Peterborough Local Plan, and Paragraphs 183-185 of the NPPF (2021).

7 Recommendation

The case officer recommends to the Planning and Environmental Protection Committee that Outline Planning Permission is **GRANTED** for the following planning 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.

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 guidance.

- C 2 Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, landscaping, layout and scale, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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 guidance.

- C 3 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 4 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 5 No development other than groundworks and foundations shall take place in respect of each dwelling unless and until details of the proposed external materials to be used for that dwelling e.g. walling, roofing, windows and doors have first 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 Planning Authority to ensure a satisfactory external appearance, in accordance with Policies LP16 and LP27 of the Peterborough Local Plan (2019) and emerging Policy A of the Helpston Neighbourhood Plan (Submission version 2021).

- C 6 The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Implication Assessment (Belson, 4449.Helpston GC.DLP.AIA, 24.09.21) and Drawings 4449.Helpston GC.DLP.AIP (Arboricultural Implications Plan) and C5091-6PD-001 Rev A (Proposed Access Arrangements).

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP28 of the Peterborough Local Plan (2019).

- C 7 The plans and particulars to be submitted under Condition 1 shall include a scheme for the hard and soft landscaping of the site. The scheme shall include details of the following:-

- Planting plans including retained trees, species, numbers, size and density of planting;
- Existing and proposed finished site and slab levels;
- Details of any boundary treatments, which shall include adequately sized gaps at 10 metre intervals to enable the movements of hedgehogs where impenetrable;
- All hard surfacing materials; and
- Any external lighting.

The approved hard landscaping scheme (boundary treatments, hard surfacing and lighting) shall be carried out prior to first occupation of the dwelling to which it relates, and retained thereafter.

The soft landscaping shall be carried out within the first available planting season following first occupation of the dwelling to which it relates or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

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 or become diseased 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 to those 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 visual amenity and enhancement of biodiversity in accordance with Policies LP16, LP27, LP28 and LP29 of the Peterborough Local Plan (2019) and Policies A and B of the Helpston Neighbourhood Plan (Submission Version 2021).

- C 8 Prior to the first occupation of the first dwelling hereby permitted, or on completion of the development whichever is sooner, a scheme for the provision of bird nest (House Sparrow, Starling & Swift) and bat roost boxes shall 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 bird nesting season following occupation of the dwelling to which the boxes relate, and shall be maintained and retained as such in perpetuity.

Reason: To provide biodiversity enhancement to the site, in accordance with Policy LP28 of the Peterborough Local Plan (2019) and Policy B Helpston Neighbourhood Plan (Submission Version 2021).

- C 9 During construction works all construction trenches shall be covered overnight and a method of escape for mammals, specifically hedgehogs, shall be provided to each trench.

Reason: In the interest of preserving the biodiversity value of the site, in accordance with Policy LP28 of the Peterborough Local Plan (2019) and Policy B of the Helpston Neighbourhood Plan (Submission Version 2021).

- C10 The development hereby permitted shall not be commenced unless and until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the Local Planning Authority dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model procedures for the Management of Land Contamination, CLR11". No development shall be carried out except in accordance with the approved details.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with Paragraphs 183-185 of the NPPF (2021) and Policy LP33 of the

Peterborough Local Plan (2019). This is a pre-commencement condition because contamination must be adequately remediated prior to construction works taking place to prevent risks of pollution during the ground works and construction process.

- C11 Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model procedures for the Management of Land Contamination, CLR11". No development shall be carried out except in accordance with the approved remedial details unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with Paragraphs 183-185 of the NPPF (2021) and Policy LP33 of the Peterborough Local Plan (2019). This is a pre-commencement condition because contamination must be adequately remediated prior to construction works taking place to prevent risks of pollution during the ground works and construction process.

- C12 On completion of remediation, a closure report shall be submitted to the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to appropriate standards and in accordance with Paragraphs 183-185 of the NPPF (2021) and Policy LP33 of the Peterborough Local Plan (2019).

- C13 If, during 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 Paragraphs 183-185 of the NPPF (2021) and Policy LP33 of the Peterborough Local Plan (2019).

- C14 The vehicle access points, as shown on Drawing C5091-6PD-001 Rev A (Proposed Access Arrangements), shall be constructed and made available for use prior to the first occupation of the dwelling to which they relate. Those accesses shall thereafter be retained and maintained as such in perpetuity.

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

- C15 Notwithstanding the approved drawings and provisions of condition C7 above, no gates shall be installed across the vehicle access points hereby permitted unless in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Any gates or other means of enclosure provided across the vehicular access points shall be

set back a minimum of 6 metres from the edge of the public highway where it adjoins the site.

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

- C16 The plans and particulars to be submitted under Condition 1 above, shall include details of vehicle parking and turning to serve future occupiers of the dwellings hereby permitted. The details shall ensure that all vehicles can enter, turn and exit the site in forward gear and make provision for 1no. electric vehicle charging point per dwelling. The parking and turning spaces shall be laid out in accordance with the approved plans and those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles in connection with the use of the dwelling to which they relate in perpetuity.

Reason: In the interest of providing satisfactory parking to serve the development and in the interest of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019) and emerging Policy A of the Helpston Neighbourhood Plan (Submission version 2021).

- C17 The vehicle access points hereby permitted shall not be brought into use unless and until the following visibility splays are provided to either side of each access:

- 2.4m (measured from the back edge of the carriageway along the centre line of the proposed access) x 45m (measured along the channel line of the public highway from the centre line of the proposed access road) vehicle-to-vehicle splays; and
- 2m x 2m (measured from and along the back edge of the public highway boundary) vehicle-to-pedestrian splays.

The splays shall be kept clear of any obstruction above a height of 600mm in perpetuity.

Reason: To ensure the development does not constitute a highway safety hazard, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C18 No development shall take place above slab level unless and until details of the electric vehicle (EV) charging points which shall serve each dwelling have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained and maintained as such in perpetuity.

Reason: In the interest of providing sustainable means of transport and futureproofing the development, in accordance with Policy LP13 of the Peterborough Local Plan (2019) and Policy A of the Helpston Neighbourhood Plan (Submission Version 2021)

- C19 The existing accesses serving the site, shown on the approved layout plans, shall be permanently closed to vehicular traffic before the new accesses hereby approved are brought into use. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority.

The permanent closure shall be carried out prior to first occupation of any dwelling or within 3 months of any of the new accesses being brought in to use, whichever is sooner. Suitable temporary barriers shall be placed near but off the public highway as an interim measure if required.

Reason: To ensure the development does not constitute a highway safety hazard, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

- C20 The dwellings hereby permitted shall be constructed to accord with the requirements of Part

M4(2) of the Building Regulations 2010. The plans and particular to be submitted under Condition 1 above shall demonstrate compliance with this requirement.

Reason: To ensure the dwellings are capable of adaptation for occupiers needs in the future, in accordance with Policy LP8 of the Peterborough Local Plan (2019).

C21 The dwellings hereby permitted shall be constructed such that renewable energy is the sole source of heating. The plans and particulars to be submitted under Condition 1 above shall include details of the renewable energy source to be applied to each dwelling.

Reason: To ensure that the dwellings reduce reliance upon fossil fuels and meet the climate change aspirations of Helpston, in accordance with emerging Policy A of the Helpston Neighbourhood Plan (Submission version 2021).

C22 The dwellings hereby permitted shall be constructed to achieve the Optional Technical Housing Standard of 110 litres of water usage per person per day.

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

C23 No development shall take place/commence unless and until a programme of archaeological work including a written scheme of investigation for proposed trial trenching of undisturbed areas on site has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy LP19 of the Peterborough Local Plan (2019) and Paragraph 189 of the NPPF (2019). This is a pre-commencement condition as the details need to be agreed before development commences on site.

C24 The development hereby permitted shall be carried out in accordance with the following approved plans:

- C5091/1-PL01 - Site Location Plan
- C5091-6PD-001 Rev A - Proposed Access Arrangement
- 18501ea-01 - Topographical Survey
- 4449.Helpston GC.DLP.AIP – Arboricultural Implications Plan

Reason: To clarify the approved details and to ensure the development accords with the reasoning and justification for granting approval.

Copies to: Cllr David Over