

Application Ref: 23/00118/OUT

Proposal: Erection of up to 20 no. dwellinghouses with access secured and all other matters reserved

Site: Land to the South of West Street, Helpston, Peterborough

Applicant: Mr Brough – C.J. Pettitt Transport Limited

Agent: Jacqueline Jackson – Marrons Planning

Site visit: 02.03.2023

Referred By: Helpston Parish Council

Reason for Referral: The PC consider the proposal to be contrary to numerous Local and Neighbourhood Plan policies

Case officer: Mr James Lloyd

E-Mail: james.lloyd@peterborough.gov.uk

Telephone No. 07920160706

Recommendation: **GRANT** subject to conditions and completion of a Section 106 agreement

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

Site and Surroundings

- 1.1 The application site comprises a rectangular parcel of undeveloped, greenfield land (approx. 1.3 ha of Grade 3 agricultural land) located to the south of West Street in the village of Helpston. The site topography is relatively level, with a gradual slope from the highest point in the southwest corner of the site down toward West Street.
- 1.2 A sewage pumping station is located adjacent to the northwest corner of the application site. Open fields intersected by Broad Wheel Road lie to the south. Residential units are located to the east, with the John Clare Primary School beyond, approx. 260m from the application site. The West Street Garage (understood to be non-operational) site is located adjacent to the application to the west, with residential units beyond.
- 1.3 The application site falls within Floodzone 1 of the Environment Agency flood maps, indicating the site has a low probability of flooding from rivers and the sea. Ullett’s Drain runs along a section of the north and east boundaries of the application site.
- 1.4 The west edge of the Helpston Conservation Area is located approx. 230m from the application site, with the nearest listed building (Forge Cottage – Grade II, List Entry number 1164501) located approx. 243m to the east. A Scheduled Monument (Site of Torpel’s Manor, List Entry number

1006812) lies approx. 234m to the west of the site.

- 1.5 Rice Wood, an Ancient Woodland and County Wildlife site (CWS) is located approx. 350m to the southeast. The aforementioned Scheduled Monument is also a CWS. Two public right of way routes (a footpath and a permissive footpath) run across the agricultural land to the south, with the route approx. 21m from the application site at the closest point.

Proposal

- 1.6 Outline Planning Permission (OPP) is sought for the “erection of up to 20 dwellinghouses with access secured and all other matters (Appearance, Landscaping, Layout and Scale) reserved”. Access to the site is proposed from West Street.

2 Planning History

2.1 17/01448/OUT

Outline planning permission for the erection of up to 45 dwellings, road infrastructure and open space with all matters reserved.

Refused 27.04.2018

2.2 19/00746/OUT Erection of 45 residential dwellings together with road infrastructure and open space with all matters reserved.

Refused 14.08.2019

3 Planning Policy

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

3.2 **Peterborough Local Plan 2016 to 2036 (2019)**

LP1: Sustainable Development and the Creation of the UK's Environment Capital

LP2: The Settlement Hierarchy and the Countryside

LP3: Spatial Strategy for the Location of Residential Development

LP7: Health and Wellbeing

LP8: Meeting Housing Needs

LP9: Custom Build, Self-build and Prestige Homes

LP13: Transport

LP14: Infrastructure to Support Growth
LP16: Design and the Public Realm
LP17: Amenity Provision
LP19: The Historic Environment
LP21: New Open Space, Sport and Recreation Facilities
LP22: Green Infrastructure Network
LP27: Landscape Character
LP28: Biodiversity and Geological Conservation
LP29: Trees and Woodland
LP31: Renewable and Low Carbon Energy
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination
LP41: Medium Village Allocations
LP42: Land Between West Street and Broadwheel Road, Helpston

3.3 **Helpston Neighbourhood Plan 2021 – 2036**

A1: Policy Context
A2: Meeting Housing Needs
A4: External Building Materials
A6: Sustainability and Climate Change
A8: Development affecting Heritage Assets
B1: Local Sites
B2: Adverse Impacts and Mitigation
B3: Net Biodiversity Gain
B4: Landscaping
C6: Educational and Medical Facilities
C7: New Play Facilities
C11: Traffic at Level Crossings
C12: Road Safety
D2: Working from Home Facilities

3.4 **Supplementary Planning Documents**

Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021
Flood and Water Management 2019
Green Infrastructure and Biodiversity 2019
Developer Contributions 2019
Design and Development in Selected Villages 2011

3.5 **National Planning Policy Framework (December 2023)**

4 Consultations/Representations

4.1 **Helpston Parish Council** (22.02.2024): Objection:

“...No response from the Applicant to address the absence of a Transport Assessment or a Masterplan...”, all other objection points remain as per previous submissions.

(12.08.2023): “...objection”. 12 points raised:

1. “Piecemeal proposal for a parcel of land not included as a dedicated area for comprehensive redevelopment as defined in the Local Plan”.
2. “The “comprehensive masterplan for the whole site” condition of Policy LP42 has not been met”.
3. Unacceptable density and volume
4. The revised “highway designs and proposals are unsatisfactory and unworkable”.
5. “The suitable buffer requirement of LP42 has not been met”.
6. No evidence of a solution to the capacity challenges facing John Clare school
7. Query whether the site is required to be allocated
8. Request that LP41.5 is removed “from the designated allocated sites areas within the Local Plan”
9. Noting the dual-use arrangement of the school site, the “possible loss of recreational space to the whole community must be compensated for by more provision of space within LP41.5” and the “condition of providing satisfactory education facilities has, in consequence, not been met”.
10. 82 dwellings (across the entire allocation site) is a definitive limit. Potential for diminishing the credibility of the Local Plan and the process.
11. The “applicants for this site have applied for development of the site before under different application names”.
12. Ullett’s Drain is a) subject to “the byelaws of the Welland and Deepings Internal Drainage Board” and b) “is not currently coping with the extra run-off that it now receives”. Further, “none of the features or utilities of this drain have, so far, been shown on any plans put before us by potential developers”.

Note - Helpston Parish Council also objected to the proposal in March 2023 following the initial consultation.

4.2 **Anglian Water** (03.03.2023) – no objection

4.3 **Bainton and Ashton Parish Council** (06.09.2023): “...in full agreement with the objections raised on this application by Barnack and Helpston Parish Councils...”

Note - Bainton and Ashton Parish Council also objected to the proposal in April 2023.

- 4.4 **Barnack Parish Council** (22.02.2024): "...resolved to re-affirm the objection conveyed to you in a letter dated 23rd August 2023..."
- No masterplan, "...application should be refused on principle in the absence of such..."
- 4.5 **Cambridgeshire Constabulary** (03.03.2023): "...no objections to this proposed application..."
- 4.6 **Cambridgeshire Fire and Rescue** (28.02.2023): "..., should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition".
- 4.7 **East of England Ambulance Service** (08.03.2023): "The proposed development is likely to have an impact on the Peterborough emergency ambulance stations within the vicinity of the application site [...] EEAST would therefore expect these impacts to be fully assessed and mitigated [...] capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £6,800".
- 4.8 **Environment Agency** (02.03.2023): "...does not wish to make any comments on this application..."
- 4.9 **Historic England** (14.03.2023): The proposed development site lies approximately 230m to the east of the 'Site of Torpel's Manor' scheduled monument which is a medieval ring and bailey earthwork (List Entry Number 1006812). We consider that the proposed development would not result in any appreciable level of harm to the significance of this scheduled monument or other designated heritage assets in the vicinity..."
- 4.10 **National Highways** – no comments received
- 4.11 **Natural England** (10.11.2023): "...Please refer to Natural England's letter dated 12 July 2019 (copy at bottom of this letter) regarding appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI)..."
- 4.12 **PCC Archaeology Services (03.08.2023)**: "...No objection in principle [...] current application is still not supported by sufficient archaeological evidence to manage risk [...] Further work pre-determination is recommended (geophysical survey followed by trial trenching to test the results of the survey
- 4.13 **PCC Conservation (29.08.2023)**: "...No objection..."
- 4.14 **PCC Education (28.02.2023)**: "...general multipliers have been used to provide the forecast number of children: 6 early years aged children, 9 primary aged children and 5 secondary aged children [...] additional capacity will be required to meet the demand from the proposed development [in relation to Early Years and Primary Provision] [...] no further mitigation is required [in relation to Secondary Provision].
- 4.15 **PCC Highways** (05.02.2024): "...no objection, subject to conditions..."
- 4.16 **PCC Housing (10.03.2023)**: "...proposes 6 units for affordable housing. I can confirm this is in

accordance to Policy LP8 of the Peterborough Local Plan which requires 30% affordable housing. I note at this time, the housing types and tenure of the affordable units are unknown. The current tenure split we would expect to see delivered for affordable housing in Peterborough is 70% affordable rented tenure and 30% intermediate tenure. This would equate to the delivery of 4 affordable rented homes and 2 intermediate tenure in this instance [...] all units will be provided in line with National Space Standards, in accordance with Policy LP8 of the Peterborough Local Plan”

- 4.17 **PCC Open Spaces (28.03.2023):** “...objection...”
- 4.18 **LLFA/PCC Drainage team (10.11.2023):** “...No objection...”
- 4.19 **PCC Pollution Control/Environmental Health (07.03.2023):** “...no objection [subject to conditions]”
- 4.20 **PCC Trees (15.03.2023):** “ No objection, on arboricultural/landscape grounds, subject to conditions...”
- 4.21 **PCC Waste (28.02.2023):** “...have no significant objections to this in terms of waste services and provisions...”
- 4.22 **PCC Wildlife Officer (12.01.2024):** “...The application scheme is acceptable but only if conditions are imposed...”
- 4.23 **Peterborough Cycle Forum (27.02.2023):** “...has no comment to submit...”
- 4.24 **Peterborough Civic Society (23.02.2024):** “...the objection of the Civic Society remains as detailed in our previous submission on 4 April 2023...”
- 4.25 **Welland & Deepings IDB (10.08.2023)** “...pleased to see that any buildings have now been removed from the Board’s 9m byelaw distance and this means [we are] happy to lift [the] previous objection.
- 4.26 **CPRE Cambs (09.02.2024):** “...objection...”
- 4.27 **Local Residents/Interested Parties**
Initial consultations: 73
Total number of responses: 331 across three consultation periods.
Note, some addresses duplicated.
Total number of objections: 331
Total number in support: 0
- Summary of objections, with Officer notes italicised:
- 4.28 Policy conflict
Conflict with LP42 / LP41.5 - No masterplan proposed. This requirement has not been met.

Helpston NP states that any development on these parcels of land must be considered as a whole and should not be disaggregated

Conflict with other Local Plan policies LP14, LP16, LP27

Fails to meet the objectives in Helpston's Neighbourhood Plan, Helpston NP must not be ignored

4.29 Principle

If the City Council does not stand by Policy LP42 and Helpston's Neighbourhood Plan, the credibility of the whole Local Plan will be diminished, bringing the planning system into disrepute

If this application were granted it would make it physically impossible to develop the rest of the LP41.5 land cohesively and in accordance with Policy LP42.

The two plots of land are adjacent to each other so, despite being owned by two separate companies, should be treated as a whole entity. Spatially the application site is not severable from the remainder of Site LP41.5.

Helpston does not need this many houses, the number of houses exceeds the indicative number stated in the Local Plan

Village should not extend to the west, beyond the 'green' entrance

John Clare Country is one of PCCs 'key areas' to protect and nurture, then no housing developments can be allowed here, John Clare Country must be preserved and celebrated, not sacrificed to bulldozers

Conflict with Hillside Parks Ltd v Snowdonia National Park Authority

The proposed development is not considered to represent a 'drop-in' permission.

4.30 Process

No/minimal public consultation

The identity and status of the applicant is unclear and the full information required by the Companies Act has been omitted from the application form. The Applicant is required by statute to properly identify itself and to confirm its status as a legally incorporated entity (as evidenced by its company registration number) and has not done so on the application form.

Information submitted on an Application Form is received and accepted in good faith.

Additional/revised plans submitted after consultation period has closed

The LPA has carried out a standard re-consultation process.

4.31 Highways

Safety:

- Access and egress onto a very busy road with speeding problems and capacity issues
- Tail backs from the railway crossing
- Children using a narrow, inadequate footpath to AMVC
- Level crossing - pedestrians, cyclists and equestrians
- Footpaths and Bridleways negatively impacted

Conflict with the Local plan and emerging Local Transport Connectivity Rural Cycle Plan

Increased numbers of vehicles will lead to increased number of accidents

Connectivity – existing roads, footpaths, cycle routes unsuitable for further development, limited bus service

Congestion, local road network already at capacity, development will exacerbate the current issues, particularly in relation to the ECML crossing and impact on wait times with subsequent negative impact on air quality

Highway safety proposals would adversely impact upon the character and appearance of what is the western entrance to this rural village and the recognised area of best landscape

Issues of traffic management, traffic calming measure already ignored, proposed will be useless
Broadwheel Road not suitable for further traffic or construction traffic

Traffic survey inadequate – compiled on a Sunday afternoon for an hour, inadequate for surveyors to gain a balanced, informed view of situation

Transport Assessment insufficiently detailed/inadequate/incomplete, no direction re how some of the plans of PCC will be achieved e.g., 15% reduction in motor vehicle miles across Peterborough.

New bus stops will cause traffic jams

Increased volume of cars will make it even harder to park outside village shop.

Transport assessment confirms that the cycle route is inadequate to protect the safety of the children and adults who cycle along Glinton Road

Transport assessment does not demonstrate safe and suitable access to West Street

Local roads are poorly maintained

Safe access and parking of site vehicles during construction required, note major disruption during Cuckoo Close construction

Narrowing of West St to 3.7m - how is farming machinery (combines, tractors, trailers etc) going to use the road?

See 'Transport Impacts' section of report

4.32 Flooding

Site lies in a proven flood risk area

Surface run off and flooding in general will increase

Issues with low water pressure worsened

Existing Drainage and Sewerage systems already at capacity – *Anglian Water raised no objection in this regard*

Proposal does not show how water run-off will be managed or address flood risk or drainage improvements

4.33 Environment

Detrimental impact on wildlife/biodiversity - GCNs, red/amber listed birds, badger, water voles, GCN surveys inaccurate

Conflict with PCC Green Infrastructure and Biodiversity SPD

Greenfield site, loss of agricultural land, loss of trees/hedgerows, loss of green space, loss of

habitats

Ash tree removed - *Whilst the loss of any tree is regrettable, the Ash tree was not the subject of any statutory protection*

Areas must be preserved as wildlife areas and corridors on the site

Plans do not show a suitable buffer to countryside

Inappropriate survey timings, a number are old and should be redone

10% net gain for biodiversity not demonstrated

'Balancing Lagoon' will be mainly unusable and a source of mosquitos if it becomes a stagnant pool

Proposal will fundamentally change the open and rural aspect of this end of Helpston and have a considerable effect on the wildlife and ecology of what is now an open green field.

See 'Ecology and Biodiversity' section of report

4.34 Infrastructure

Detrimental impact on existing local infrastructure – school oversubscribed, healthcare provision stretched

Infrastructure upgrades required to facilitate further development, including water, sewerage, phone and broadband

4.35 Education/Impact on John Clare School

Proposal will 'landlock'/prevent further expansion of the school which is heavily subscribed and was recently reported to be the most oversubscribed school in Peterborough

PCC spent £231,893 transporting children to school, despite safeguarding issues re taxiing young children to schools outside of the village

School dual use arrangement for play area – no other provision in Helpston, the only village in Peterborough which does not have designated play space which is accessible to children throughout the day and evening

Development should ensure that adequate provision is made for the education of all of the children who live in the village both now and in the future

See Planning Obligations section of report

4.36 Design

Design/layout = not submitted, no clear indications of the proposed layout and appearance

Insufficient green/open space/play area

No provision within the plan for a future link road to the neighbouring land

Density not in keeping with village, overdevelopment, overbearing and too urbanising in its heritage rural village setting and surroundings

Scale and dominance, not in keeping with rural nature of village – lack of sensitive planning

No details on lighting, materials, design, heating/energy options, type of housing

Ullett's Drain (9m) buffer zone compromised

Poor layout, linear in appearance

Design, access & proposed road structure is inappropriate for a village

Poor quality of houses, new homes should be built sympathetically and in tune with the character of the village

Noise from Pumping Station

Detrimental impact on character of Helpston

Conflict between this proposal and adjacent proposal (now withdrawn), drainage should be amalgamated, developers should be working in tandem

Cuckoo close should not be a precedent

Helpston will suffer from a significant loss of character. Any development in this part of the village will fundamentally alter the appearance of Helpston.

Any new houses between Broadwheel Road and West Street will be visible from different vantage points around the village and need to blend in with the existing housing stock

The proposed development is for OPP, consideration of detailed design matters would take place at REM stage.

4.37 Amenity

Detrimental impact on residential amenity, air quality and overall village life

The proposed development is for OPP, consideration of detailed design matters would take place at REM stage.

4.38 Heritage

Negative impact on heritage assets, note West Street at this point is a good example of an Enclosures Road

Crossberry Way is a heritage asset and should be accompanied by a Heritage Statement

See 'Heritage Impacts' section in of report

4.39 Other

The community need, identified by consultation for the Neighbourhood Plan, is for social housing and accessible 1 & 2 bed homes for young people and older residents.

No archaeology survey

See 'Heritage Impacts' section in of report

Footpaths and bin storage must be considered

Helpston = reliant on oil or LPG deliveries. What is 'green' about this development – ASHP or ground source heat pumps?

No discernible benefits to the residents of Helpston, zero contribution to the wider village infrastructure or community assets

Inaccuracies in submitted documents, note Design and Access Statement - page 5 mentions the Helpston Garden Centre as a local amenity. This closed in October 2019.

Previous applications both on site and within vicinity refused

Do the developers have the right to build bus stops on the garage parcel of land (that is not publicly

owned) and indeed on the grass verge heading West? Does the owner of the garage know that the applicant has used some of their land for a proposed bus stop/shelter?

The grass verges are understood to be land controlled by PCC Highways

Site has a well trodden footpath around it from daily use by local residents. This loss of recreational space will have a detrimental impact on the health and well-being of the community and the environment

Informal access/use of the application site upon non-formalised routes would likely be a civil matter

5 Assessment of the planning issues

5.1 The main issues to consider in the determination of this application are:

- Principle of Development
- Flood Risk and Drainage
- Ecology and Biodiversity
- Transport Impacts
- Heritage Impacts
- Housing Mix
- Design and Character
- Contamination and Air Quality
- Amenity – neighbours and future occupants
- Planning Obligations

a) Principle of Development

5.2 The application site comprises a parcel of land (c. 1.3ha) which forms part of a wider c. 4.4ha site allocated for residential development in the adopted Peterborough Local Plan to 2036 – see LP41.5. Outline Planning Permission (OPP) is sought for ‘the erection of up to 20 no. dwellinghouses with access secured and all other matters reserved’.

5.3 The matters reserved from this OPP proposal (Appearance, Scale, Layout, Landscaping) would be for consideration at Reserved Matters (REM) stage. The illustrative Sketch Layout (ref A-P10-001) may be used as a visual aid to establish whether the proposed quantum of development can be accommodated on the application site and that the location of the proposed access points are appropriate, but would not be included on the list of approved plans.

5.4 Policy L42 of the Local Plan (LP) states “Any application for the site at Broad Wheel Road, Helpston (Site LP41.5) shall comprise amongst other matters, a comprehensive masterplan for the whole site. In developing the masterplan there should be a high level of engagement with appropriate stakeholders including the local community”.

- 5.5 The documents submitted in support of the proposed development do not include a masterplan for the wider 4.4ha site. Further, it is understood that no engagement with the local community has taken place.
- 5.6 However, the parcel of land to which this application relates represents approx. 29% of the wider land parcel which forms LP41.5 and the two land parcels comprising LP41.5 are held under separate ownership. As such, any masterplan covering the 4.4ha site submitted in support of this OPP would be indicative and could not be secured under this OPP, as the plan would seek to control development on land outside of the Applicant's ownership.
- 5.7 Whilst the omission of a masterplan technically conflicts with the requirements of LP42 and Policy A2(d) of the HNP, these policies relate to the wider 4.4ha site and are intended to ensure that the component parts of the allocation are developed in a cohesive manner with a workable interface and do not prevent connectivity. The proposed development must be considered against the Development Plan as a whole and assessed on its individual merits.
- 5.8 The application site falls within the boundaries of the 'Village Envelope' as set out on the Peterborough Policies Map (which supports the LP) and referred to in Policy A2(a) of the HNP. Policy LP2 states that "Proposals within the village envelope will be supported in principle, in line with policy LP1, subject to it being of an appropriate scale for the settlement". A2(a) of the HNP identifies the same 'in principle' support, subject to 'other relevant policies of [the HNP] being satisfied'.
- 5.9 The proposed quantum of development (20 dwellings) equates to approx. 15 dwellings per hectare (dph) across the entire 1.3ha site. Noting the restrictions in relation to development within the confines of Ulletts Drain, the proposal equates to approx. 16 dph across the developable area.
- 5.10 The table below identifies approx. dph figures for development parcels which represent comparable developments within the vicinity of the application site:

Name	No. of dwellings	Approx. site area (ha)	Approx. dph	Approval reference
Cuckoo Close	34	1.8	18	15/00336/REM
Woodland Lea	30	1.6	18	<i>No digital record</i>
Temple Close	46	2.4	19	99/00175/REM

- 5.11 Noting that LP41.5 identifies an indicative number of dwellings for the 4.4ha site as 82 (approx. 18 dph), the proposed development is considered to be an "appropriate scale for the settlement" as per the direction of LP2.

5.12 The accesses shown on the submitted plans as well as an indication of how open space/landscaping could flow through the site, are considered sufficient to ensure that the proposal would not prevent cohesive development of the overall allocation. Furthermore, the Agent has confirmed that the Applicant would agree to the imposition of a condition which ensures that a detailed cohesive arrangement with a residential development on the adjacent parcel of the 4.4ha site could be achieved, through a layout (secured at Reserved Matters stage) which is well-connected and provides an interface which is sympathetic to the overall character of the village of Helpston.

5.13 As the application site is not considered to comprise "...the site at Broad Wheel Road, Helpston", but a parcel of the wider LP41.5 site, the principle of the proposed development is, on balance, considered to be acceptable and in accordance with the Local and Neighbourhood Plans read as a whole, despite the absence at this stage of both an overarching masterplan document and a community engagement process, subject to the imposition of the aforementioned condition and all other material considerations being addressed.

b) Flood Risk and Drainage

5.14 The application site lies within Flood zone 1 of the Environment Agency mapping. As the area of the application site exceeds 1ha in size, a Flood Risk Assessment/Drainage Strategy (ref. 3027 - DS – Jan 2023) was submitted in support of the application.

5.15 The LLFA/PCC Drainage Team offered no objection to the findings of the aforementioned FRA/DS which is considered to adequately demonstrate that the proposed development would not have an adverse impact upon flood risk to surrounding land or increase the risk of flooding on the application site.

5.16 A condition will be imposed to ensure that the principles of the FRA/DS are adhered to during the development of a detailed drainage design at REM stage. Similarly, a condition requiring details of the management/maintenance of the proposed Sustainable Drainage (SuDS) features (including permeable paving and an infiltration basin) will also be required.

5.17 Subject to the imposition of a condition, the proposed development is considered to accord with Policy LP32, the Flood and Water Management SPD, paragraph 173 of the NPPF and the direction of paragraph 3.48 of the Helpston NP.

c) Ecology and Biodiversity

5.18 The application site is not covered by nor lies adjacent to any statutory or non-statutory designated sites of nature conservation.

- 5.19 Barnack Hills & Holes Special Area of Conservation (SAC) is located approx. .3.6km west of the site and Castor Hanglands SSSI approx. 2.9km to the south. Seven non-statutory designated sites for nature conservation (County Wildlife Sites) are located within 1km of the site.
- 5.20 The application is supported by an Ecological Appraisal (FPCR – Rev E) which incorporates a Biodiversity Net Gain Assessment. PCC's Wildlife Officer raised no objection to the findings of the Ecological Appraisal, or the proposed development, subject to the imposition of conditions. No objection was received from Natural England.
- 5.21 Given the separation distance and intervening land uses between the application site and the SAC/SSSI, the proposed development is not considered to give rise to an unacceptable impact upon either the SAC or SSSI. Despite the relative proximity of the Torpel Manor Field CWS (approx. 230m to the west), the proposed development is not considered to give rise to an unacceptable impact upon the CWS due to the nature and scale of the proposal.
- 5.22 The revised Ecological Appraisal identifies that the hedgerows within the application site are classified as Habitats of Principal Importance as they comprise over 80% native woody species. Consideration of layout and landscaping at REM stage will ensure that any hedgerow removal is limited. Additional planting, in the form of suitable hedgerows, trees and species-rich grass and shrubs may also be secured at REM stage.
- 5.23 The SuDS elements in the aforementioned FRA/DS will, as part of a wider surface water control scheme, assist with minimising any negative impacts upon ecological assets.
- 5.24 A number of representations identified the presence of Great Crested Newts (GCN) within waterbodies in the vicinity of the application site. The revised Ecological Appraisal recognises the contribution made by these representations and confirms that an entry into the Cambridgeshire District Level Licence (DLL) scheme will be made. The DLL operates at a local/county-wide level to facilitate gains in the status of target GCN metapopulations and the colonisation of new habitats to expand the distribution of GCN within the county. This approach is considered to provide an acceptable form of mitigation. A condition will be imposed to ensure that the appropriate confirmation of the suitability of the DLL is received prior to any development commencing on site.
- 5.25 On the advice of PCC's Wildlife Officer, further conditions will be imposed to ensure a Landscape Environment Management Plan is submitted for approval. This document will detail appropriate precautionary working methods to minimise the risk of harm to GCN, and any timing constraints to such works. Full details of an Ecological Design Strategy and a compliance condition to ensure the recommendations for mitigation and compensation set out in the Ecological Appraisal are followed, including suitable protection for hedgerows during construction will also be imposed.

5.26 Subject to the imposition of the conditions outlined above, the proposed development is considered to accord with LP28, the Green Infrastructure and Biodiversity SPD, B1, B2 and B3 of the HNP and paragraph 180 of the NPPF.

d)Transport Impacts

- 5.27 A single vehicular access point upon the south of West Street is proposed to serve the development. A bus stop, hourly served on the 201/202 route is located approx. 690m east of the site.
- 5.28 The application is supported by a Transport Statement (ref. 23/121/20A Rev D) and a Road Safety Audit (22/121/DR/19A Rev A). The Transport Statement (TS) is informed by data collected by Automatic Traffic Counters (ATC) which were installed on West Street adjacent to the site for one week from 10.12.2022. The ATC data suggests that an average weekday sees 2508 two-way vehicle flows with peak hours of 0800-0900 and 1600-1700. The TS data supports the representations received which express concern in relation to vehicles travelling above the 30mph limit on West Street. Using the vehicle speed data collected by the ATC, visibility splay requirements of 2.4m x 69m (to the left) and 2.4m x 75m (to the right) were identified and are shown to be achievable (Access Arrangement and Visibility Splays ref. 22-121-SK05 Rev C).
- 5.29 A key theme running through a substantial proportion of the representations received expresses concern with regard to the safety of the existing highway and the potential impact arising from the proposed development. The proximity of the level crossing of the ECML route and its impact on the highway network in Helpston, along with the condition of the route to Arthur Mellows Village College are particular concerns. Policy LP42 states “The Transport Assessment should demonstrate that the quantity of homes proposed is deliverable taking account of; safe and suitable access to the site; and any necessary improvements to the transport network”. Although the proposed development is supported by a TS, rather than a Transport Assessment, the submitted documents are considered to provide an adequate assessment of the potential impacts arising from the proposed development upon the highway. PCC Highways offered no objection to the approach taken by the Applicant in this regard and noted that the quantum of development proposed falls below the threshold where a TS would usually be required – see 6.8.9 of the LP.
- 5.30 The TS identifies that the proposal would lead to an increase in vehicle movements. It is highly likely that these movements would occur during peak times, but the anticipated increase would not give rise to an unacceptable adverse impact upon the local road network. Similarly, the anticipated increase in pedestrian and cycle movements is such that the existing infrastructure is considered to be adequate to accommodate the additional demand.
- 5.31 PCC Highways advised of no objections to the methodology, findings or conclusions of the TS.

- 5.32 Vehicle Parking is to be considered at REM stage. For the purposes of assessing this OPP, the relevant test is whether it can be reasonably concluded that a satisfactory provision of parking can be achieved within the application site in an arrangement which is both safe and acceptable in amenity terms (for future occupants and existing neighbours of the site). Given the quantum of development proposed, a vehicle parking provision which accords with the requirements of PCC's Parking Standards is considered feasible within a 1.3ha site.
- 5.33 The proposed development incorporates a traffic calming feature (narrowing the road to 4m in width) and the provision of two additional bus stops (Proposed Bus Stop Locations ref. 22-121-SK04), one eastbound and one westbound. Both features have been assessed via a Road Safety Audit (RSA). During discussions with PCC Highways, no objections to the methodology, findings or conclusions of the RSA have been raised.
- 5.34 The plan submitted for approval under this OPP (ref. 22-121-SK04 Rev D; 22-121-SK05 Rev C; 22-121-TR01 Rev E; 22-121-TR02 Rev F; 22-121-TR03 Rev E; 22-121-TR04 Rev E; 22-121-TR06 Rev B) are considered to identify a safe, convenient and sustainable access to and from the application site. The proposed development is not considered to impart a severe residual cumulative impact on any element of the transportation network, subject to the implementation of the identified mitigation measures.
- 5.35 As such, subject to the imposition of conditions, the proposed development is considered to accord with LP13, C11 and C12 of the HNP, the direction of the Cambridgeshire and Peterborough Combined Authority Local Transport and Connectivity Plan and paragraph 115 of the NPPF,

e) Heritage Impacts

- 5.36 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that special regard is had to the desirability of preserving particular features of Listed Buildings and Conservation Areas and great weight should be afforded to the conservation of those assets. The Ancient Monuments and Archaeological Areas Act 1979 seeks to protect archaeological heritage by making provision for the investigation, preservation and recording of matters of archaeological or historical interest.
- 5.37 The west edge of the Helpston Conservation Area is located approx. 230m from the application site, with the nearest listed building (Forge Cottage – Grade II, List Entry number 1164501) located approx. 243m to the east. A Scheduled Monument (Site of Torpel's Manor, List Entry number 1006812) lies approx. 234m to the west of the site.
- 5.38 No objections from PCC Conservation or Historic England have been raised. The separation

distance and intervening land uses between the application site and the nearest heritage assets are noted. There are no designated heritage assets in the immediate vicinity of the site and the site is not considered to fall within the setting of a heritage asset. Accordingly, noting that matters relating to scale, design and appearance are to be considered at REM stage, the proposed development is not considered to impart an unacceptable detrimental impact on any heritage asset.

- 5.39 The application is supported by an Archaeological Desk Based Assessment (ref. 2502258.3), however PCC's Archaeology team advised that the conclusions of that document are "unsubstantiated and [are] not confirmed by the results of the geophysical survey [...] which are inconclusive".
- 5.40 As such, a pre-commencement condition to ensure that a programme of trial trenching is agreed with PCC Archaeology, carried out in accordance with their recommendations and recorded appropriately is necessary in order to understand potential archaeological finds within the site and what, if any, mitigation or protection is needed for their preservation.
- 5.41 Subject to the imposition of the aforementioned condition, the proposed development would satisfy the requirements of LP19, A8 of the HNP and paragraph 200 of the NPPF.

f) Housing Mix

- 5.42 Policy LP8 requires "Development proposals of 15 or more dwellings [to] provide 30% affordable housing". The submitted Design and Access Statement (DAS) identifies "30% (6 dwellings) will be affordable homes" and the comments from PCC Housing are noted.
- 5.43 The submitted Planning Statement states that the affordable homes "...are indicatively designed as 3-4 bed units, to the same design standard as the open market homes, but the applicant is happy to discuss the needs with the Councils Housing team". No factors have been identified (such as market viability), that would demonstrate anything less than the full requirement of affordable housing can be provided.
- 5.44 Whilst matters relating to design, layout and mix are to be considered at REM stage, the proposed development is considered to be capable of successfully delivering the variety required by LP8. As such, subject to a planning obligation (via a S106) to secure the provision of affordable homes, which incorporates the requirements of Policy A2(c) of the HNP, along with a condition to ensure that all dwellings meet Building Regulations Part M4(2), the proposed development is considered to accord with Policy LP8.

g) Design and Character

- 5.45 As the proposed development is for OPP, considerations of detailed design would be made at REM stage. For the purposes of assessing this OPP, the relevant test is whether it can be reasonably concluded that an acceptable scheme could come forward on the application site, having regard to the submitted supporting information.
- 5.46 The submitted DAS includes an assessment of the local context and concludes that the overall design of the scheme "...is to be informed by the character assessment carried out for the surrounding context" and that a "...a simple palette of high-quality materials to be in keeping with the local context, utilising clean details and well-proportioned elevations..." would represent an appropriate design response. The 'Materiality' section of the DAS is considered to be appropriate with respect to the local vernacular. Design parameters are set out in the 'Introduction' section of the DAS.
- 5.47 Based on the DAS, it is considered that there is a reasonable prospect that the development could deliver a design of suitable quality (including an appropriate landscape buffer upon the west boundary) that would respond appropriately to the character of the area and its individual sensitivities.
- 5.48 Subject to the imposition of a condition to ensure a statement which identifies how the concepts of the DAS have been carried through in the detailed design at REM stage is submitted for approval, along with full details of the design response in relation to the required landscaping buffer, the proposed development is considered to accord with LP16, A1, A2, A4, A6, B4 and D2 of the HNP, the Development in Selected Villages SPD and paragraph 135 of the NPPF.

h) Contamination and Air Quality

- 5.49 Although the application site comprises a parcel of greenfield, agricultural land, PCC's Environmental Health team advised of the possibility of land contamination given the nature of some of the historic land uses in the vicinity, including a Petrol Filling Station and a lime kiln. The application site is not understood to have been home to any historic uses that are particularly at risk of causing contamination. Accordingly, it is considered highly likely that even in the event of contaminants being identified, the land could be brought to an acceptable condition (through appropriate remediation) with regard to health risks from contaminants.
- 5.50 The imposition of a condition to ensure that an appropriately detailed assessment of the nature and extent of any contamination would be sufficient in this instance to protect both the health of future and surrounding occupiers and the environment and satisfy the requirements of LP33 and paragraph 189 of the NPPF.

- 5.51 The NPPG (Paragraph:005 Reference ID:32- 005-20191101) advises that, where it is not anticipated that a proposed development would give rise to concerns in respect of air quality, it is acceptable to proceed to the decision, notwithstanding other matters.
- 5.52 Given the separation distance between the application site and the nearest designated biodiversity site an Air Quality Assessment is not required (as per the direction of LP13) and the proposed development is considered to be acceptable in this regard.

i) Amenity – neighbours and future occupants

- 5.53 The proposed development falls below the threshold where a Health Impact Assessment would be required (see LP7) and the nature of the proposal does not give rise to concerns in relation to noise generation. However, PCC's Environmental Health team advised that the sewage pumping station is a potential noise source which must be considered at REM stage. As such, a condition to ensure that an assessment of the noise from the sewage pumping station and, if necessary, a scheme to protect the noise-sensitive elements of the proposed development from that noise is required to satisfy the provisions of LP17.
- 5.54 As the application is for OPP, at this stage it is not possible to determine whether the proposal would give rise to overlooking or overshadowing/overbearing impacts from the proposed built form. However, given the scale of the application site and the quantum of dwellings proposed, it is considered likely that a development which would not result in a material harmful impact on residential amenity could come forward. Matters in relation to layout and scale will require careful consideration at REM stage.
- 5.55 There is no reason to suggest that the proposed development would give rise to noise levels that would depart from that of a typical residential development, such that the proposal would adversely impact the amenity of occupants of neighbouring property.
- 5.56 A Construction Environmental Management Plan (CEMP) is considered to be an adequate measure to ensure that noise/disturbance arising from a construction period could be appropriately managed and mitigated where required. A CEMP can be secured by condition.

k) Planning obligations

- 5.57 The development will be CIL liable in accordance with the Regulations (and exemptions) within PCC's adopted charging schedule. As this OPP application does not confirm a Gross Internal Area for the proposed dwellings, it is not possible, at this stage, to confirm the CIL liability which the proposed development will incur.

- 5.58 The comments from PCC Education refer to forecast requirements from the proposed development and those arising from an application on the adjacent parcel of land which was subsequently withdrawn. In relation to Primary Provision, the proposed development is anticipated to generate an additional nine children. When assessed against the 2022 catchment forecast for John Clare Primary School (JCPS), at the time of writing, the additional nine children can be accommodated within the existing 'Places Remaining' total. Given the time which has elapsed since the PCC Education comments were received, confirmation in relation to a more recent catchment forecast has been sought. An update will be provided in the Update Report.
- 5.59 With regard to Early Years provision, it is anticipated that the CIL payment will contribute toward the funding of the additional places required by the proposed development. PCC's CIL Officer advised that the current Strategic CIL Education balance totals over £800k and that it "would be difficult for [the LPA] to state that the CIL funding we hold is insufficient" to cover the anticipated costs arising from the proposed development such that additional funding is necessary to be sought by a S106 agreement.
- 5.60 A number of representations identified that the proposed development would prevent further expansion of JCPS. It must be noted however that the application site does not border the JCPS site. Further, PCC Education confirmed that across Cambridgeshire there are numerous other school sites which have a smaller site area than JCPS but accommodate larger pupil/staff numbers and that the existing JCPS site has sufficient capacity (in spatial terms) to accommodate either of the 'potential projects to mitigate demand'. As such, in this instance the direction of paragraphs 3.2.2 and 3.2.3 of the Developer Contributions SPD are not considered applicable.
- 5.61 Section 106 Obligations may be sought where they meet the tests of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). Such obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 5.62 In order to calculate the required obligations, the Developer Contributions SPD requires that dwelling numbers are translated into population. At the time of writing, the average household numbers are calculated at 3.2 persons per household. The proposed development of 20 dwellings, would therefore equate to an anticipated population of 64 people.
- 5.63 The following contributions have been identified as being required by the adopted Developer Contributions SPD, or requested by consultees:
- That 30% (six units) will be affordable dwellings, with an expected provision of 70% affordable rented tenure and 30% intermediate tenure
 - A total of 0.12 ha (1200 sqm) of on-site public open space and natural green space, off-site contributions totalling £5,836.16 and associated maintenance contributions

- £6800 to mitigate the impact on existing Healthcare and Ambulance Service Provision
- £7500 contribution toward design and implementation of sustainable travel access improvements between Helpston and Glinton

- 5.64 At the time of writing confirmation from PCC Active Lifestyles team with regard to the financial contribution required from the proposed development in relation to playing pitches has not been received. Confirmation will be provided in the Update Report.
- 5.65 The above are considered to meet the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and would accord with policy LP14, the direction of C6 and C7 of the HNP and the Developer Contributions SPD. The above are recommended to be sought through a S106 legal agreement in the event of a resolution to approve.

6 Conclusions

- 6.1 The application must be considered with reference to s.38 (6) of the Planning and Compulsory Purchase Act 2004 and determined in accordance with the Development Plan unless material considerations indicate otherwise. PCC's Local Plan was adopted in July 2019 and with reference to paragraph 76 of the NPPF is less than five years old.
- 6.2 PCC's most recent Annual Monitoring Report (2022) demonstrated a five-year supply of housing land, and a healthy Housing Delivery Test result. The policies which are the most important for determining the application are considered to be up-to-date and are afforded full weight.
- 6.3 Whilst the omission of a masterplan which covers the entirety of the site allocated under LP41.5 conflicts with a requirement of LP42 and Policy A2(d) of the HNP, those policy requirements relate to development proposals covering the wider 4.4ha site. When considered against the Development Plan as a whole, the proposed development is considered to be acceptable, subject to the imposition of conditions and Planning Obligations.

7 Recommendation

The Executive Director of Place and Economy recommends that Outline Planning Permission is **GRANTED** subject to the completion of a S106 agreement and the following conditions:

- Outline Time limit

- Reserved Matters to be submitted
- Reserved Matters Time Limits
- Accordance with submitted Access Plans
- Limit dwelling numbers
- Submission of DAS compliance statement
- Submission of Landscape buffer details
- Reserved Matters applications to be accompanied by planting specifications
- Further archaeological investigation completed prior to commencement
- Access laid out as per plan prior to first occupation and retained
- Full details of off-site highways works prior to commencement
- Visibility splays to be provided as per plans and kept free from obstruction
- Bus stops implementation
- Traffic calming feature implemented
- Fire hydrants scheme
- Submission of appropriate Construction Environment Management Plan
- Submission of appropriate Landscape and Ecological Management Plan
- Adherence to recommendations/mitigation of Ecological Appraisal
- Submission of an Ecological Design Strategy
- Suitable protection for hedgerows during construction
- REM applications as a whole to deliver biodiversity net gain in accordance with submitted details
- Details of Surface Water Drainage Scheme to be submitted
- Details of Foul Water Drainage Scheme to be submitted
- Vehicle tracking details to be submitted as part of reserved matters for Layout
- Waste Management and Minimisation Plan to be submitted
- Noise mitigation measures
- Construction Environmental Management Plan to be submitted
- Land Contamination Assessment to be carried out
- Housing mix
- Submission of plan identifying appropriate connectivity and interface with adjacent site
- REM applications to be supported by a statement outlining how the scheme has incorporated sustainable materials, the use of renewable or low carbon energy and reused existing resources
- Submission of a counter signed impact assessment and conservation payment certificate relating to the District Level Licensing scheme
- All dwellings to be compliant with Building Regulations Part M4(2),

All conditions will be reported in full in the update paper

Copies to Councillors - Councillor David Over