

<b>Application Ref:</b>	23/00412/OUT
<b>Proposal:</b>	Outline permission for up to 650 dwellings with associated open space and infrastructure, with access secured and all other matters (appearance, landscaping, layout and scale) reserved. Including demolition of all buildings
<b>Site:</b>	East of England Showground, Oundle Road, Alwalton, Peterborough PE2 6XE
<b>Applicant:</b>	AEPR Ltd & East of England Agricultural Society
<b>Agent:</b>	n/a
<b>Site visit:</b>	Numerous throughout 2023 and 2024
<b>Case officer:</b>	Phil Moore
<b>E-Mail:</b>	<a href="mailto:phil.moore2@peterborough.gov.uk">phil.moore2@peterborough.gov.uk</a>
<b>Recommendation:</b>	APPROVE subject to conditions and completion of a S106 agreement, and resolution of outstanding highways issues to the satisfaction of the Local Highways Authority

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

### **Site and Surroundings**

#### Wider East of England Showground (EESG) site

The EESG site comprises approx. 164 acres of land located approx. 5.6km SE of Peterborough City centre, between the A1(M) and the Orton Northgate/Orton Southgate developments. The A605 Oundle Road lies to the north of the EESG site, with the village of Alwalton (which falls within the boundaries of Huntingdonshire District Council) beyond. Commercial units are located to the south.

The topography of the EESG site is generally level, with a gradual fall (approx. 6-7m) toward the northeast corner of the site. With reference to the Environment Agency (EA) flood risk map, a small parcel of the site falls within both Floodzone 2 and Floodzone 3, with a linear element along the east boundary and a larger tract in the southeast corner.

Established trees (a variety of species) and hedgerows are located both within and adjacent to the site which hosts an array of buildings, including the East of England Arena, a Grandstand, a thatched barn and a number of smaller, ancillary structures. A network of public right of way (PRoW) footpaths are located outside of the boundary of the site to the northeast.

#### History of the EESG site

In the mid-1960s, approx. 260 acres of land was purchased by a group which would eventually become the East of England Agricultural Society (EEAS). The first 'East of England Show' took place in the early 1970s, with construction of the Grandstand intended to serve as a focal point, along with a range of supporting ancillary buildings and facilities. Founded in 1970, the Peterborough Panthers speedway team utilised the Grandstand and the land which it overlooked to host race meetings until 2023.

Over time, parcels of the c. 260 acres were sold, as interest in the East of England shows tapered off and operations were consolidated across a smaller area. The sales of land for residential development provided opportunities to support EEAS charitable objectives and reinvestment into the EESG site, including the construction and improvement of the East of England Arena in 2007/08.

2013 marked the final East of England show as interest dwindled and visitor numbers decreased – in the 1990s around 160,000 attendees were recorded, compared to c. 10,000 in 2012. Following the approval of 23/00251/FUL, the Arena and part of the showground surrounding it has been used on a temporary basis to facilitate a car storage and maintenance operation.

### Application site

This application relates to the north eastern part of the EESG and comprises of parcel of land (approx. 26.2 ha) within the wider (EESG) site. An established band of trees runs along the northern boundary, with dotted groups across the main body of the site. A small, linear parcel of land falls within Floodzone 2 and Floodzone 3 of the EA's flood risk map. The Grandstand along with a number of smaller ancillary buildings are located within the boundaries of the application site. Residential properties are located beyond the north and east boundaries.

### **Proposal**

The application is one of 2 related outline applications (together with 23/00400/OUT) which together comprise the redevelopment of the EESG site with up to 1500 dwellings, a care village, leisure facilities and associated infrastructure.

This application seeks Outline Planning Permission (OPP) for up to 650 dwellings with associated open space and infrastructure along with the demolition of all buildings within the parcel. All matters (appearance, landscaping, layout and scale) are reserved, apart from access which is for consideration at OPP stage.

The application proposes to use the existing connection onto the A605 as a single 'everyday' access point and a secondary access to/from Dunblane Drive for buses, emergency vehicles and pedestrians/cycles only.

The application has been accompanied by the following plans and documents that have been considered in the assessment:

#### Documents:

- Air Quality Assessment
- Arboriculture report
- Archaeological Desk Based Assessment
- Bat Survey Report
- Design and Access Statement
- Ecology Impact Assessment
- Economic Impact Assessment
- Environmental Statement
- Flood Risk Assessment
- Framework Travel Plan
- Ground Investigation Report
- Health Impact Assessment
- Heritage Statement
- Housing Statement
- Illumination Impact Profile
- Landscape and Visual Impact Assessment
- Noise Impact Assessment
- Phase 1 Site Investigation
- Planning Obligations Statement
- Planning Statement
- Pre-App Community Engagement
- Transport Assessment
- Utilities and Waste Water Assessment

#### Plans:

- Access and Movement Parameter Plan (ref. C5266 01\_053 Rev D)

- Blue and Green Infrastructure Plan (ref. C5266 01\_054 Rev E)
- Building Heights Parameter Plan (ref. C5266 01\_051 Rev D)
- Constraints Plan
- Existing Buildings
- Existing Topographical Survey
- Illustrative Masterplan
- Land Use Parameters Plan (ref. C5266 01\_050 Rev D)
- Location Plan
- Residential Densities Parameters Plan (ref. C5266 01\_052 Rev D)
- Site Aerial

## **2 Planning History**

Given the scale of the wider EESG site, the planning history for the site is substantial and dates back to the 1960's. Some examples of the entries on the historic planning file:

P0079/76 - Re erection of 18th Century threshing barn as a conservation project

P0152/77 - Renewal of consent for use of motor car grass track circuit and auto-cross course

P0584/86 - Use of land for golf driving range and associated buildings

92/P0797 - Change of use of former grazing land/car and caravan park to pitch and putt golf course as amended by revised plan received 18th February 1993

94/P0499 - Approval of reserved matters relating to 90/P0614 for the erection of 293 dwellings, estate roads, public open space and ancillary works for residential use as amended by revised layout plans 1580/3 rev e and materials schedule received with applicant's letter dated 20/7/94

99/01379/OUT - Residential development including new accesses, open space and associated infrastructure - appeal allowed

03/00048/REM - Erection of 58 dwellings, estate road, public open space and ancillary works

05/00139/REM - Erection of 292 dwellings, garaging, associated roads, sewers and public open space

12/00674/FUL - Residential development of 81 houses (consisting of 59 x three bed & 22 x four bed), roads, sewers and associated works

12/01258/FUL - Proposed residential development comprising 80no. units plus associated car parking, public open space and landscaping

15/01106/OUT - Up to 130 dwellings with all matters reserved except for access

21/00164/REM - Reserved matters approval relating to appearance, landscaping, layout and scale for the erection of 128 dwellings pursuant to planning permission 15/01106/OUT

The most recent and relevant files are listed below:

23/00251/FUL - Temporary change of use from Sui Generis Showground and F1 exhibition hall to B8 car storage and distribution with ancillary car preparation and maintenance, and installation of hardstanding (part retrospective)

Approved 26.01.2024

21/00018/SCREEN - Screening Opinion for outline planning for the construction of up to 1600 dwellings Issued 14.04.2022

### **3 Planning Policy**

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

#### **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  
LP5: Urban Extensions  
LP7: Health and Wellbeing  
LP8: Meeting Housing Needs  
LP9: Custom Build, Self-build and Prestige Homes  
LP11: Development in the Countryside  
LP12: Retail and Other Town Centre Uses  
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  
LP30: Culture, Leisure, Tourism and Community Facilities  
LP31: Renewable and Low Carbon Energy  
LP32: Flood and Water Management  
LP33: Development on Land Affected by Contamination  
LP35: Urban Extensions Allocations  
LP36: East of England Showground

#### **Supplementary Planning Documents**

Flood and Water Management 2019  
Green Infrastructure and Biodiversity 2019  
Developer Contributions 2019

#### **National Planning Policy Framework (February 2023)**

The National Planning Policy Framework 2023 (NPPF) sets out the three economic, social and environmental objectives of the planning system to contribute to the achievement of sustainable development. The NPPF confirms that a presumption in favour of sustainable development lies at the heart of the Framework so sustainable development is pursued in a positive way.

#### **Neighbourhood Plans**

There are no proposed, draft or adopted Neighbourhood Plans in the immediate vicinity of the application site.

### **4 Consultations/Representations**

#### **Consultees**

No objection, subject to condition(s) received from:

- Anglian Water (09.09.2024)
- Cambridgeshire and Peterborough Combined Authority Bus Strategy (09.10.2023)
- Cambridgeshire Constabulary (Designing Out Crime) (12.09.2024)
- Cambridgeshire Fire & Rescue (01.10.2024)

- Environment Agency (09.09.2024)
- Historic England (13.09.2023)
- Huntingdonshire District Council (20.09.2023)
- LLFA/PCC Drainage (15.12.2023)
- National Highways (24.09.2024)
- Natural England (26.09.2024)
- PCC Conservation (03.10.2024)
- PCC Culture and Leisure DM (18.09.2023)
- PCC Ecology (07.05.2024)
- PCC Rights of Way (02.11.2023)
- PCC s106 (17.09.2024)
- PCC Trees (02.10.2024)
- PCC Waste Management (07.09.2023)
- Peterborough City Council (PCC) Bereavement

No objection, subject to s106 contribution secured:

**C&P ICS** (10.10.2023) "...C&P ICS has identified that 2 neighbouring GP centres are most likely to be impacted by the proposed development. These include the Willow Tree Surgery and Nene Valley & Hodgson Medical Practice [...] the affected GP practices are already operating above capacity, and do not have the space to absorb any additional residents. The development would therefore have an impact on the primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable [...] ICS calculate the level of contribution required in this instance to be £897,929."

**East of England Ambulance Service** (10.07.2024): "...This development combined with other developments in Peterborough places significant pressure on Peterborough ambulance stations to maintain mandated response times. A developer contribution will be required to mitigate the impacts of this proposal and is calculated at £221,000".

**PCC Education** (02.11.2023) "...[the application] for 650 dwellings is forecast to generate 195 0-3 year olds, 293 4-10 year olds and 215 11-15 year olds [...] There is capacity within the existing childcare market to absorb the forecast 195 children Application 1 is forecast to generate [...] additional capacity in the form of a funded 1FE/210 place extension at one of the local schools would be required as a minimum [...] [the application] is due to generate 212 secondary pupils above the current capacity. Therefore, the total secondary contribution sought in relation to this application is a minimum of £5,896,780.00 [...] if [23/00412/OUT] is approved and a project to mitigate this demand is agreed without coordination of future development requirements, it needs to be understood this could have a seriously negative impact on the viability of [23/00400/OUT] regarding education provision."

**PCC Housing** (03.10.2024) "...we would expect a contribution of 30% on this site of 650 dwellings (Land B). This equates to 195 affordable dwellings. 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 137 affordable rented homes and 58 intermediate tenure in this instance. In terms of intermediate tenures, the provision of shared ownership tenure remains the council's priority for meeting the need for affordable home ownership products in Peterborough. This is because of its capacity to cater for a wider range of household incomes by varying the initial share required to enable access to home ownership [...] As this application progresses, we would be happy to discuss the house type mix for the affordable housing provision in greater detail. In accordance with Policy LP8 of the Peterborough Local Plan, all dwellings should meet Building Regulations Part M4(2), unless they 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). On all development proposals of 50 dwellings or more, 5% of homes should meet Building Regulations Part M4(3)(2)(a). In this instance that would equate to 33 dwellings. We would like to see some of the M4(3)(2)(a) dwellings provided as rented tenure homes to assist with meeting identified for wheelchair housing from applicants on the housing register. As of 1st September 2023, there were 35 households on the housing register requiring fully wheelchair-accessible homes. We would like to see a minimum of 5 of the rented tenure dwellings provided to wheelchair standard and again would be happy to discuss the house type and for these dwellings at the appropriate stage of the planning process."

**PCC Travel Choice** (05.09.2023) "...Each occupier of Land will be required to appoint a Travel Plan Co-ordinator (TPC) to oversee the implementation of the TP and details of the co-ordinators must be

passed to Peterborough City Council (PCC) prior to occupation [...] It is noted that travel information packs will be provided with a range of relevant information, however it is not stated from where or when the packs will be sourced. These can be purchased from PCC at a cost of £10 per pack. Alternatively, the developer can create their own pack, which must be approved by PCC (details on what the developer prepared Welcome Pack should include as a minimum are presented in Appendix A). As part of the Welcome Pack either one bus taster tickets from Stagecoach (the main bus provider in Peterborough) or a £50 cycle voucher should also be purchased for each unit in new residential developments”.

Deferred for further information:

**Active Travel England** (28.09.2023)

Comments:

**Peterborough Cycle Forum** (29.09.2023) “...detail of road layout and cycle infrastructure design will be dealt with under Reserved Matters but the Cycle Forum believes it helpful to make these comments at this early stage” – numerous observations on junction design, road layout, interactions from users and mitigation options.

Objections received from:

**Chesterton Parish Council** (18.10.2023) “...The principal impact on the village will be from increased traffic [...] The Traffic Assessment shows that traffic flows from the combined 650 & 850 housing development will increase traffic flows over the A1 bridge into the village by 52.8% (link ID6); along the slip road to the A1 north, up by 29% (link ID 9) and continuing through the village along the Oundle Road to Elton by 42.9% (link ID7) [...] However the TA consultants only seem to think this will be of Minor significance for the village. They do not even mention Chesterton by name in their whole report, let alone consider any mitigation measures [...] Therefore, we believe the Traffic Assessment has not been carried out properly. It has not properly scoped or assessed the traffic, cycle or pedestrian flows and impact on our village; it has not considered any mitigation measures to slow, calm and/or divert traffic away from our village.

**Orton Waterville Parish Council** (29.09.2023) “...insufficient consultation with both the Parish Council and local residents [...] evident that the feedback given by residents has been ignored [...] serious concerns that no additional access into and out of the new development is planned [...] No construction management plan has been provided. Other comments re loss of speedway, phasing, health and education provision noted.

**Cllr Bywater – CCC** (04.10.2023): “...strong objections [...] deeply concerned about potential negative impacts [...] Inadequate Transport Assessment; Traffic Impacts, Inadequate mitigation measures, poor traffic modelling”.

*Officer note: Alwalton Parish Council echo the concerns expressed by Cllr Bywater*

**British Horse Society** (06.10.2023): “...The BHS notes that at no point in the documents submitted is there anywhere provision for inclusion of horse riding or equestrian users by way of inclusion of bridleway or restricted byway giving access to and connectivity with the existing public right of way network. This is ironic considering the heritage and previous uses of this particular agricultural site”.

**British Speedway** (23.05.2024) “...British Speedway Promoters’ Ltd (BSP) and the Speedway Control Bureau (SCB) wish to reaffirm our total opposition to the scheme”.

**PCC Archaeology** (11.09.2023): “A programme of evaluation by trial trenching should be carried out pre-determination to further inform decision making as part of risk management”.

**PCC Open Space/Landscape** (13.10.2023)“...is disappointing to note that the applicant has chosen not to take forward many of the recommendations made within our Pre-application discussions [...] Allotment locations proposed appear to have either been pushed to the extremities of the site (giving little natural surveillance) [...] PCC do not wish to see any small “standalone” LAP’s proposed within the Showground Development”.

Required quantities of Open Space:

2.83ha of Neighbourhood Parks

0.87ha of Natural Greenspace

0.60ha of Allotments

**PCC Policy** (22.11.2023): "...the requirements of Policy LP5 are not met for Land A (23/00412/OUT), as it is an entirely residential development, it does not provide a range of employment opportunities, community facilities or education facilities, expected for a development of over 500 dwellings".

**PCC Pollution Control** (13.10.2023): "...The lower noise levels reported at LT1 require justification [...] Therefore to ensure that any future proposed glazing and ventilation schemes are effective in mitigating noise from the arena or other night time economy activities the developer will need to complete further modelling using frequency spectrum data to determine a scheme that will ensure internal noise levels noise levels from music meet are suitably attenuated". Comments also made re internal arrangements of residential units, air quality and lighting. Condition suggested re Contaminated Land.

**PCC Public Health** (01.10.2024): "...make a holding objection to the HIA".

**Sport England** (23.05.2024): "...In respect of the loss of the speedway venue, we advised we were not in a position to provide a detailed response [...] The extent to which the proposal aligns with local needs is difficult to assess any further in the absence of an up to date PPS. We have previously advised that the case for the 3G AGP is unproven and a more appropriate approach may be to refine the proposals to include a mix of on-site new playing field provision with off-site contributions to support other priority projects [...] we would accept that capacity within the existing public pools is likely to still be an issue [...] Sport England would be interested if further details of a community use proposal for the swimming pool could be provided.

**Cambridgeshire Wildlife Trust** (09.05.2024): "...The Wildlife Trust does not agree with the applicant's comments on recreational impacts on nature sites [...] There is therefore a high probability that the green infrastructure will be insufficient to meet the everyday needs of the new residents of this development. This is what gives rise to the possibility of adverse impacts elsewhere".

**Peterborough Civic Society** (30.09.2024): "...While the Civic Society does not oppose plans for 1500 homes on the Showground site, we object to the current proposals on the grounds that the two planning applications 23/00412/OUT and 23/00400/OUT cannot reasonably be considered as a single application as residential development alone without the infrastructure and community, leisure, and retail facilities is untenable. We are also concerned that education and healthcare provision and consideration of transport and traffic issues are not adequately addressed. Also, the masterplan does not cover the whole Showground site".

**PCC Highways** No objection in principle, subject to adequate mitigation. However, there remain some technical issues still to be resolved around the highways mitigation, particularly the upgrade and signalisation of the Oundle Road, Orton Parkway roundabout and safety measures around Linden Gardens. Recommend conditions and section 106 obligations.

## Local Residents/Interested Parties

At 03.10.2024, across two consultation periods. Note, some addresses duplicated.

Total number of responses: 1017

Total number of objections: 904 - note some addresses duplicated.

Total number in support: 53, along with further letters of support from 56 local organisations. 109 in total.

Total neutral: 4

The key issues raised as a result of the public consultation are summarised below:

### Policy conflict

Proposed quantum of development represents overdevelopment of the site and conflicts with LP30, LP36, LP35.7, LP11 and Local Plan in general

Conflict with NPPF paragraphs 99, 102 and 196

Loss of speedway – negative impacts on community and leisure

Speedway track is an asset of community value

Applicant has made the Speedway use unviable

Loss of showground – national significance, sports, leisure, tourism facility. A precious commodity that once gone is gone forever

### Principle

Negative impact on charities, clubs, organisations

Loss of jobs, income, economic benefits of showground/speedway

Minimal detail in application

Hotels in vicinity already, requirement for another unproven

The land was given to the people of Peterborough to be used as a showground. Site was gifted on the condition that it was never developed this should be honoured or returned

Application fails to consider health and wellbeing

Existing site is already utilised for the social, mental and physical wellbeing of the larger Peterborough – there are insufficient facilities in Peterborough as is

Too many Reserved Matters left out of application

Out of town focus (leisure, bars etc.) = questionable sustainability

### Highways

Increased traffic and congestion

Only one access which is unsuitable

Highway safety/ impacts from additional traffic, existing provision insufficient, additional damage to roads, increased traffic

Roads adjacent still not yet adopted by PCC

Traffic modelling queries, data should be available to the public

Impact of DHL 'permission' not considered

How will emergency vehicles be accommodated?

There is not a meaningful bus route for commuters to the railway station or to medical facilities in vicinity

Showground traffic (Events) is sporadic and can be planned for, residential will be constant

How many visitors do AEPG expect to be using the leisure facilities each day or the large-scale events?

How can they know no extra or improved access is need without accurate leisure or culture facility usage figures?

### Flooding

Inadequate drainage, reduction of greenfield soakaway leading to flood/surface water run off increase

### Environment

Negative environmental impacts, including loss of habitat for species and loss of green space

Protected wildlife present on the site.

No BNG metric detail



### Infrastructure

Pressure on services and infrastructure – health, education, police, community, water, sewerage. Note an acute capacity issues already re health, dentist, school

City does not have sufficient amenities and services to support the extra housing. The city's resources are already stretched and this will not help.

Lack of community facilities

Continues legacy of poor road infrastructure causing disturbance to both people and businesses of the area and its surroundings.

### Design

Removal of fencing = potential for ASB

Proposed density too great

Insufficient parking

Field to north of access – incompatible with existing houses on Loch Fyne Close

Hotel and care home needed?

### Amenity

Poor living conditions for future occupants - noise, pollution, etc.

Loss of amenity (including privacy) for residents in vicinity

### Heritage

Negative impact on local heritage and culture

### Other

Other university cities have lots to offer re facilities

Phasing of development questioned – leisure elements will be overlooked

Provision of EV charging points unclear

Leisure Village will require significant investment. It is interesting to see whether it will be forthcoming, in the current economic climate

No detail re Milton Land

Ashes scattered in centre of Speedway track

Both applications should be submitted as one, not separately.

650 dwellings could work, but across a wider part of the site

Loss of regional level facilities from this site does not benefit the City in the medium to long term

Negative impact on property values – officer note, this is not a material planning consideration

## **5 Assessment of the planning issues**

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

- Principle of Development
- Transport Impacts
- Drainage and Flood Risk
- Ecology and Biodiversity
- Design and Character
- Housing Mix
- Heritage Impacts
- Impacts upon the amenity of neighbours
- Amenity and Health of Future Occupants
- Section 106 Contributions and Community Infrastructure Levy (CIL)

In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, developments must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

## **Environmental Statement**

With reference to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), the proposed development is considered to be “EIA Development”. Accordingly, an Environmental Statement (ES) accompanies the application. Whilst an initial Screening document was issued by the Local Planning Authority (LPA) in April 2022 (see 21/00018/SCREEN) and an invitation to submit a request for a Scoping Opinion extended, no such request was received by the LPA.

The ES (submitted 04.09.2024) represents a revision to the previously submitted ES which was received in August 2023. Revisions were sought following a review (aided by the Council’s EIA advisor Stantec) which identified numerous shortcomings in the initial document.

The revised ES comprises three parts:

- 1 – the Environmental Statement
- 2 – the Appendices and Figures which support the findings of the ES
- 3 – the Non-Technical Statement

The revised ES has been subject to formal consultation as part of the overall consultation. As part of the consultation process, the relevant sections of the ES have been reviewed by specialist consultees and this approach is considered to be sufficient to meet the requirement set out in Regulation 4 of the EIA Regulations.

The revised ES is, on balance, considered to be adequate to meet the requirements of the EIA Regulations.

The likely environmental effects and mitigation measures are set out in the ES. It is the responsibility of the LPA to ensure the implementation and management of the mitigation measures through the Development Management process.

## **Principle of Development**

### Legislative and Policy Context

Planning law requires that decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the purposes of this application is the Peterborough Local Plan 2019. Government policy in the form of the National Planning Policy Framework is a key material consideration which carries significant weight in the planning balance. All other relevant material considerations must also be given due weight.

### The presumption in favour of sustainable development

Paragraph 11 of the NPPF sets out a ‘presumption in favour of sustainable development’. The presumption, sometimes referred to as the ‘tilted balance’ is engaged “...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date”. In this instance, whilst a number of development plan policies remain relevant and up to date, the LPA cannot currently demonstrate a five-year supply of deliverable housing sites – see PINS appeal ref. APP/J0540/W/21/3287538. This situation will remain until the publication of new figures to inform production of the LPA’s revised Local Plan.

Accordingly, in this instance the spatial policies of the Local Plan are rendered out of date and the ‘tilted balance’ is engaged. In such situations, Paragraph 11 of the NPPF states that “permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework taken as a whole”.

Whilst the relevant policies of the Peterborough Local Plan 2016 to 2036 (PLP) are not to be set aside or disregarded, the tilted balance circumstance is a significant material consideration, which ‘tilts’ the balancing exercise from a neutral balance to one where there must be compelling reasons for planning permission to be withheld, i.e. where the adverse impacts of granting planning permission “would significantly and demonstrably outweigh the benefits”.

## Development Plan Policies relevant to the principle of the proposed development

The following policies are considered to be the key PLP policies regarding the principle of the application and are considered to be the most relevant to guide decision-making on the principle of development at the OPP stage:

- LP2
- LP3
- LP5
- LP30
- LP35
- LP36

The other policies listed in the first paragraph of section 3 of this report are considered to have less importance (when considering the principle of development) than the five policies listed above but nonetheless remain part of the decision-making process. The weight to be attached to those policies is a matter of planning judgement.

LP2 is a restrictive policy which sets out that development outside of village envelopes and outside the Peterborough Urban Area boundary will be resisted, unless particular criteria are met. As the EESG site falls outside the Peterborough Urban Area boundary, the proposed development would appear to conflict with LP2 in the first instance, however support for development within the EESG site is explicitly set out in policies LP3 and LP35.

LP3 outlines a focus to ‘...make the most effective use of previously developed land...’ and identifies the EESG site as an Urban Extension. LP35 identifies the EESG site as being ‘...allocated for development in accordance with policy LP5’ and identifies an indicative number of dwellings (650). Whilst the proposed development accords with the quantum of residential units identified in LP35, the proposed development must be assessed against the criteria set out in LP5, whilst noting that the proposal is for OPP, with all matters reserved apart from Access.

### The principle of the proposed development with regard to LP5

The proposed development is considered to make efficient use of the land within the boundary of the application site and the required broad range of housing can be secured through the Developer Contributions process (S106 obligations) and the Development Management process at Reserved Matters stage. The application sets out a commitment to provide 195 units of Affordable Housing across the site, with a figure of 30% stated in the supporting ‘Housing Statement’, the Design and Access Statement (p.197) and throughout correspondence with the Applicant. The comments from PCC Housing are noted and the requested house type and tenure mix can be secured through the S106 process.

The proposal outlines the inclusion of one self-build/custom build unit of housing. This provision falls short of the “minimum 1% of all plots” outlined in policies LP5 and LP9 of the PLP. As such, the provision of six units of self-build/custom build home plots will be secured through the S106 process and an appropriate location for the plots via the assessment at REM stage.

As the application is for OPP, specific details relating to landscape are for consideration at Reserved Matters stage. Based on the Design and Access Statement (DAS) and the Blue and Green Infrastructure Parameters plan (ref. C5266 01\_054 Rev E), it is considered that there is a reasonable prospect that the development could deliver a design of suitable quality (including an appropriate landscape buffer along the boundaries of the site with an interface to existing residential development) that would respond appropriately to the character of the area and its individual sensitivities.

The DAS (p. 170-171) sets out an Energy Strategy which describes the approach to deliver “...a ‘lean’, ‘clean’ and ‘green’ development”, through incorporating photo-voltaic panels, Air Source Heat Pumps, passive heating/cooling techniques and natural ventilation across the development to maximise energy efficiency. This approach can be secured, via condition, to be a key design principle which informs the detailed design at Reserved Matters stage.

Noting that matters of Layout will also be confirmed at Reserved Matters stage, the Access and Movements Parameters Plan (ref. C5266 01\_053 Rev D), the aforementioned Blue and Green Infrastructure

Parameters plan and DAS, are considered to demonstrate that the development could deliver both a network of open space which makes appropriate provision for green spaces and an approach which maximises sustainable transport modes, including a high-quality walking/cycling network which links to the wider area.

A full assessment of the access points to/from the application site, along with the proposed mitigation across the wider highway network is provided in the Transport Impacts section of this report.

The proposed development does not incorporate any employment opportunities, nor any new 'retail, leisure, social, cultural, community [or] health facilities', or any educational facilities and is therefore in conflict with LP5. In light of this, both PCC Education and the NHS (C&P ICS) have requested a financial contribution to mitigate the impact of the proposed development. Full details of the anticipated S106 Obligations are set out in the 'Section 106 Contributions and Community Infrastructure Levy (CIL)' section of this report.

Subject to the requested contributions being secured through the appropriate planning mechanism, the proposed development could be made acceptable in planning terms with reference to the direction of LP5 in terms of community, health and educational facilities. Furthermore, it is also expected that leisure, retail, social, cultural, health and community facilities to serve the development will be provided on land B as part of the wider EESG redevelopment as part of application 23/00400/OUT.

The principle of the proposed development with regard to LP36

Policy LP36 states:

*Within the East of England Showground, as defined on the Policies Map, the following uses will be supported in principle, subject to, if the proposal is of a significant scale, an approved masterplan for the Showground:*

- *Facilities directly related to the function of shows on the Showground itself*
- *Conference facilities (D1 and D2)*
- *Employment related development*
- *Residential development of around 650 dwellings.*

*Proposals for development should not have an unacceptable adverse impact on the surrounding uses (especially on occupiers of nearby residential properties), and all development should ensure that the character of the area is maintained.*

*A comprehensive master plan in advance of, or alongside, any significant proposals will be required and, if approved by the council in advance, this would become a material consideration in the determination of future planning applications. Such a master plan must demonstrate how the functioning Showground will be retained.*

*The loss of any existing leisure and sports facilities will not be supported unless replacement facilities are provided in accordance with policy LP30.*

Taking each element in turn:

The proposed development is for a residential development for up to 650 dwellings. No other facilities (related to the function of shows, conference or employment) are proposed.

The application is for OPP. The matters reserved from this OPP proposal (Appearance, Scale, Layout, Landscaping) would be for consideration at Reserved Matters (REM) stage. The REM application is the appropriate stage to clarify those details which would ensure that the development would not unacceptably impact surrounding uses and maintain the character of the area. However, a condition can be imposed on the OPP to ensure the submission of an appropriate Design Code (which builds upon the principles set out in the submitted DAS) to cover the application site.

The proposed development is supported by an illustrative masterplan (ref. C5266 00\_100 Rev G), which may be used as a visual aid to establish whether the proposed quantum of development can be accommodated on the application site but would not be included on a list of approved plans. It must be noted that the supporting illustrative masterplan does not demonstrate that a functioning Showground will be retained. Further, the Grandstand which supported the operation of the Peterborough Panthers Speedway team is proposed to be removed and no replacement facilities are proposed within the

application site. As such, the application is considered to depart from the PLP. Notwithstanding the above, it is expected that leisure, retail, social, cultural, health and community facilities to serve the development will be provided on land B as part of the wider EESG redevelopment as part of application 23/00400/OUT.

### The loss of the Showground

The application is supported by a 'Showground Viability Assessment Report' (Collison & Associated Ltd – February 2024) which sets out a declining demand for showground events, within a context of increasing overheads due in part to more onerous legislative requirements. The report concludes that the "East of England Showground is no longer a viable leisure facility in its present form", requiring "investment of between £5 and £9 million [...] expected to be required [...] by 2030".

In short, "the retention of the Showground as a leisure facility in its current format is not in keeping with the charitable objectives of the East of England Agricultural Society".

### Removal of the Grandstand – the loss of Peterborough Panthers Speedway

The overwhelming majority of objections received in relation to the proposed development reference the loss of facilities for the Peterborough Panthers Speedway team (PPS). The strength of objection and the passion for the team is evident throughout the comments received to date, with correspondence received from individuals understood to be based overseas (including Norway, Denmark and Australia) referenced on the file. The loss of any leisure facility is regrettable. The loss of a facility which provides for a niche interest which engenders the support of a wide cross section of society and creates a community of like-minded individuals perhaps more so.

The application is supported by a 'Leisure and Community Impact Assessment Report' (Collison & Associated Ltd – December 2023) which sets out the challenging environment in which the sport of Speedway operates, along with a breakdown of the situation facing the PPS team. In summary:

- The PPS team/ Peterborough Speedway Limited (PSL) operated from the location under license, not a tenancy agreement
- PSL operated under an agreement with the landowner which represented the equivalent of a subsidy of c. £50,000 per annum
- At the end of the 2023 season, PSL removed the "shale track, fencing and safety fencing and transferred these assets to King's Lynn Speedway"
- A 2023 inspection reported that The Grandstand requires at least a £475,000 investment to meet current health and safety guidelines for insurance purposes, along with further investment to create a noise-attenuating earth bund and replacement of all the removed operational elements

The submitted report concludes that operating Speedway at the EESG is not financially viable and does not accord with the charitable objectives of the EEAS. Whilst this position is understood, a PINS appeal decision concerning a proposed re-development of Brandon Stadium identified that need and viability are two distinct and separate matters. In contrast with the aforementioned Brandon Stadium PINS report, none of the representations submitted to date have outlined a commitment to meeting the financial outlay to reinstate the Speedway track.

Paragraph 103 of the NPPF sets out three criteria to be considered where a proposal entails the loss of existing “open space, sports and recreational buildings and land”:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by 9equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

In this instance, as the proposed development does not include provision for a replacement facility in a suitable location, criterion (b) is not met. Similarly, as the proposed development is not for “...alternative sports and recreational provision”, criterion (c) is not met.

Acknowledging the comments from British Speedway in opposition to assertions of the sport of Speedway being in terminal decline, the application does not include clear evidence that the buildings/land are surplus to requirements, instead relying upon viability concerns. Accordingly, it is considered that the proposed development does not meet criterion (a) of paragraph 103 of the NPPF.

Policy LP30 of the PLP sets out that:

*The loss, via redevelopment, of an existing culture, leisure, tourism or community facility will only be permitted if it is demonstrated that:*

- (k) The facility is demonstrably no longer fit for purpose and the site is not viable to be redeveloped for a new community facility; or (emphasis added)*
- (l) The service provided by the facility is met by alternative provision that exists within reasonable proximity: what is deemed as reasonable proximity will depend on the nature of the facility and its associated catchment area; or (emphasis added)*
- (m) The proposal includes the provision of a new facility of a similar nature and of a similar or greater size in a suitable on or off-site location.*

The proposed development does not make provision for either facility (Showground or Speedway) in a suitable on or off-site location. As such, criterion (m) is not met.

The Showground use is considered to benefit from a national catchment area, given the scale and nature of the events which took place across the site prior to 2023. The submitted ‘Showground Viability Assessment Report’ identifies nine showgrounds within a two-hour drive of the application site, the closest being Rutland Showground (approx. 150 acres) located approx. 23 miles from the application site. On balance, given the characteristics of the service provided by the facility, it is considered that an alternative provision exists within reasonable proximity and criterion (l) is met.

The Speedway use is considered to benefit from a smaller, more regional, but nonetheless substantial catchment area, given the attendance figures provided in the ‘Leisure and Community Impact Assessment Report’ and an analysis of the representations received to date. It is understood that the nearest alternative provision (i.e. Premiership level racing) would be based at Kings Lynn, approx. one hour drive from the application site.

However, this objective measurement does not account for the more subjective, emotional ties generated from supporting a particular team – allegiances cannot always be readily transferred from one outfit to another. On the one hand, alternative provision of Speedway racing is available within a c.40 mile journey. On the other, the Peterborough Panthers Speedway team would be lost entirely, with no alternative provision. Given the absence of an assessment which demonstrates that the Speedway component of the application site is surplus to requirements and noting the Sport England Assessing Needs and Opportunities Guide (ANOG), this element of the proposed development is considered to conflict with both LP30(l) and paragraph 103 of the NPPF.

The context in which an assessment would be undertaken now, compared to the assessment made on the date which the application was submitted, must be recognised along with the fact that the area of land is not publicly accessible open space. Given the condition of the Grandstand and the extent of the works undertaken by PSL to remove track material and fencing, it is considered that the ‘facility is no longer fit for

purpose'. No details have been submitted in relation to the viability of a new community facility, as ultimately the proposed development does not incorporate a comparable facility. However, the supporting documents clearly set out that the financial implications of bringing both the wider showground and the Grandstand to be considered as viable propositions are "not in keeping with the charitable objectives of the East of England Agricultural Society".

#### Development Plan Policies relevant to the principle of the proposed development – conclusion

The proposed development accords with the provisions of LP3 and LP35, which in turn addresses the apparent conflict with LP2 (development beyond defined urban boundary).

Subject to the imposition of appropriate conditions and securing financial contributions via the S106 process to assist in mitigating the impact of the proposed development, the proposed development can be made acceptable in planning terms with regard to the provisions of LP5.

The proposed development does not accord with the criteria set out in LP36 as the proposal fails to demonstrate how a functioning Showground (including the Speedway element) will be retained. The proposed development does not accord with LP30 or Paragraph 103 of the NPPF as none of the three criteria of either have been fully addressed.

However, noting the challenging financial context and the charitable objectives of the EEAS, the loss of this part of the wider EESG site and the Grandstand (Speedway) is not considered to give rise to adverse impacts which, in principle, would outweigh the benefits of the provision of 650 homes (where 30% would be Affordable Housing units), subject to all other material considerations being addressed. The remainder of this report will provide an assessment of those material considerations.

#### **Transport Impacts**

The application is for OPP but includes access as a matter for consideration. The main vehicular access would be via Joseph Odam way with a secondary access (use restricted to buses, pedestrians and cyclists and emergency vehicles). There would also be a number of pedestrian and cycle accesses linking through to surrounding areas. The illustrative masterplan and access/movement parameters plan show a main street running through the centre of the wider site between the Joseph Odam Way and Dunblane Drive, serving all residential and commercial areas of the site as well as the school. Secondary and tertiary streets as well as main cycle/pedestrian routes would be arranged in perimeter blocks throughout the residential areas of the site.

The application is supported by a comprehensive Transport Assessment as well as detailed drawings of the accesses at Joseph Odam Way and Dunblane Drive, and proposed mitigation measures.

The Local Highways Authority (LHA) have concluded that there is no fundamental objection to the proposal (either as standalone applications or as a whole) in highway safety or traffic capacity terms, subject to mitigation to be achieved via conditions and section 106 obligations. The LHA consider that mitigation is potentially achievable. However, at the time of writing, there remain a number of outstanding technical issues to be addressed around the design and specification of the proposed mitigation measures primarily around the proposed upgrade and signalisation of the Oundle Road/ Orton Parkway roundabout and around Linden Gardens.

It is expected that amended drawings showing the required design will be submitted either prior to committee, or alternatively that they could be required via an appropriately worded condition or section 106 obligation. This will be clarified and reported in the Update Report.

Subject to the remaining outstanding issues being resolved to the satisfaction of the LHA, as well as conditions and section 106 obligations to secure mitigation, the proposal is in accordance with Local Plan policy LP13 and the NPPF.

#### **Drainage and Flood Risk**

The LLFA/PCC Drainage team, Environment Agency and Anglian Water offered no objection to the proposed development subject to the imposition of conditions.

The application is supported by a Flood Risk Assessment (Cannon Consulting Engineers – March 2023) and a Utilities and Wastewater Assessment (Cannon Consulting Engineers – March 2023).

The vast majority of the application site lies within Floodzone 1, with a small linear parcel of land along the east boundary falling within Floodzone 2 and Floodzone 3 of the EA's flood risk map. A number of small pockets across the site are understood to be at risk from surface water flooding but these are "...limited to predominantly shallow pooling (predominantly less than 300 mm for the low risk event)". The application site does not lie in a groundwater source protection zone.

As the application site comprises a parcel of an allocated site in the PLP, it has been subject to in principle assessment as part of the Local Plan making process, through the Strategic Flood Risk Assessment. Accordingly, it is not considered necessary to apply the sequential and exception tests set out in the NPPF and NPPG. The key assessment to make is to ascertain whether a) the proposed development can be made safe from the impacts of flooding and b) would not result in an increase flood risk elsewhere.

The plans and documents which support the application incorporate an approach which seeks to locate development outside the flood zones, with a section of 'Public Open Space and Perimeter Leisure route (see Land Use Parameter Plan (ref. C5266 01\_050 Rev D) identified as being located within the area along the east boundary at risk of flooding. It is noted that 'Amenity open space' is identified as being 'Water-compatible development' in Annex 3 of the NPPF. As such, the proposed use of the area of land identified as being at risk of flooding is considered unlikely to result in an increased risk of flooding elsewhere.

#### *Surface water*

The submitted Flood Risk Assessment (FRA) identifies an approach to surface water management which accords with LP32 and the direction of the Flood and Water Management SPD. Subject to ground conditions, localised infiltration may be possible, through permeable paving or unlined SUDs planters. Intrusive testing can be carried out at the appropriate design stage to inform an understanding of where these opportunities may lie.

Four catchment areas are identified, along with an associated attenuation basin with the capacity to serve each one, discharging (at a rate of 2.3 l/s/ha i.e. greenfield run-off) to either the watercourse to the east of the application site, or the surface water sewer network.

The principle of approach set out in the supporting documents is considered to be acceptable. Conditions can be imposed to ensure that detailed designs are submitted at the appropriate stage of development. Subject to the imposition of conditions, it is considered that the application sufficiently demonstrates that surface water can be readily accommodated within the development without harm to either surrounding areas or future occupants, and that the proposed development would not result in an increased risk of flooding elsewhere.

#### *Foul water*

The proposed development will maintain the existing drainage connection from the site into the Anglian Water network via a spur on the eastern edge of the application site. Anglian Water advised that "foul drainage from this development is in the catchment of Peterborough (Flag Fen) Water Recycling Centre that will have available capacity for these flows".

A process outside of the planning legislation will require notice to be served by the Developer under the Water Industry Act 1990, however this is not a material planning consideration. The supporting documents are considered to be sufficient to ensure that the proposed development would not result in a detrimental impact upon the environment with regard to improperly discharged wastewater.

Subject to the imposition of conditions, the proposed development is considered to accord with Policy LP32, the Flood and Water Management SPD and paragraph 173 of the NPPF.

### **Ecology and Biodiversity**

Whilst Cambridgeshire Wildlife Trust objected to the proposed development, noting that there is "a high probability that the green infrastructure will be insufficient to meet the everyday needs of the new residents of this development [which] gives rise to the possibility of adverse impacts elsewhere", PCC's Wildlife



Officer and Natural England raised no objection to the proposed development subject to the imposition of conditions.

The application is supported by an Ecological Impact Assessment (JBA Consulting – March 2023) and a Bat Survey report (JBA Consulting – October 2022). Although the ES identifies that “Ecology has been scoped out of the EIA”, it is recognised that the Ecological Impact Assessment (EclA) covers a number of the assessments (establishing a baseline, character of impact, cumulative impacts, residual impacts and mitigation measures) which would typically be expected in a standalone ES chapter.

The application site is considered to comprise Previously Developed Land as per the definition set out in the NPPF. There are no statutory designated sites (for example Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar) within the application site. Nor are there any non-statutory designated sites (County Wildlife Sites) with the application site.

Three statutory and five non-statutory designated sites are located within 2km of the application site. The submitted EclA indicates that none of these sites would be impacted by the proposed development, given the nature of the proposal and the separation distance between the sites.

### *Habitats*

Both the EclA and the ES identify that the “dominant habitat is amenity short-sward grassland of negligible ecological value” due in the main to the intensive grassland management (mowing) regime which restricts opportunities for foraging and its commonality in the wider landscape. The EclA identifies that the other “low-quality habitats at the site were considered to support locally important populations of birds, bats, and Badger” and recommends a number of mitigation measures to “remove nearly all the negative impacts for the development and to increase the positive impacts”.

Noting the supporting Blue and Green Infrastructure Plan (ref. C5266 01\_054 Rev E), the Layout Principles set out in the DAS (along with the overarching approach to Landscape and Ecology) it is considered that subject to the imposition of conditions, the proposed development is considered to accord with LP28, the direction of the Green Infrastructure and Biodiversity SPD and section 180 of the NPPF with regard to the potential impact of the development on habitats.

### *Species*

There are no water bodies within the application site. The EclA did not identify any aquatic or reptilian species which may be impacted by the proposed development, but notes that “there is potential for birds to be impacted by the proposed works”.

Although no field signs of Badger “(i.e., setts, latrines, footprints, paths) were recorded on site” and the “habitat on site is sub-optimal for foraging Badgers”, a Badger was observed foraging during a bat survey. As Badgers are highly mobile and may dig setts during the course of the determination of the application, mitigation measures are proposed to ensure any negative impacts are avoided as far as possible. In accordance with the NPPG and the Protection of Badgers Act 1992, information on the location of badgers is kept confidential, to prevent harm to the species.

Figure 4-1 of the Bat Survey report identifies the numerous locations where bat presence was recorded along the east boundary. Figure 1-2 of the same identifies four potential bat habitats within the application site – the tree toward the northeast corner of the site was identified as having a negligible potential for supporting a bat roost, two buildings (B2 and B3) were identified as having low potential and one building B44 was identified as having moderate potential.

The Bat Survey report states that “...if work is delayed for more than a year from this assessment it is recommended that an updated assessment of the structures and trees is made”. An updated assessment can be secured by condition. Noting that the application is for OPP and the final design/layout of the site is to be assessed at Reserved Matters stage, this approach is considered to be acceptable and would ensure that any new bat roosts were recorded, with any works which may disturb a roost subject to the requirements of the European Protected Species Licence process.

Subject to the imposition of conditions, including a suitable lighting scheme to be secured at the appropriate stage once the detailed layout of the site emerges, the proposed development is considered to accord with

LP28, the direction of the Green Infrastructure and Biodiversity SPD and section 180 of the NPPF with regard to the potential impact of the development on individual species.

### *Biodiversity Net Gain*

The application is supported by a Biodiversity Net Gain (BNG) Report (JBA Consulting – December 2023). The BNG report identifies that “the works do not meet BNG requirements” and recommendations are made “to enable BNG to be achieved”. It must be noted that the planning application was submitted prior to 12 February 2024 and as such is exempt from (the now mandatory) BNG requirements.

PCC’s Wildlife Officer advised that the approach set out in the supporting BNG report is acceptable. A condition will be imposed to ensure the uplift set out in the BNG report is achieved.

### *Trees*

The application site is not within a Conservation Area and there are no Tree Preservation Orders within or adjacent to the application site. As such, none of the trees are afforded a level of statutory protection.

The application is supported by an Arboricultural Report, which comprises an Arboriculture Assessment, an Arboricultural Impact Assessment and an Arboricultural Method Statement. Whilst it is noted that the Tree Survey (Focus Environmental Consultants – November 2021) was compiled almost three years ago, PCC’s Tree Officer offered no objection to the proposal, subject to the imposition of conditions to ensure a “full and detailed” Arboricultural Impact Assessment, including an Arboricultural Method Statement and Tree Protection Plan along with an Arboricultural Monitoring & Supervision Scheme.

Subject to the imposition of the aforementioned conditions, the proposed development is, on balance, considered to be acceptable with regard to LP29 and paragraph 136 of the NPPF.

## **Design and Character**

The application site comprises Previously Developed Land and is located immediately adjacent to the built-up areas of Orton Northgate and Orton Southgate. The A1(M) lies to the west, with open fields beyond. The application site falls within National Character Area (NCA) 88 ‘Bedfordshire and Cambridgeshire Claylands’, close to the border with NCA 89 ‘Northamptonshire Vales’ to the west. Locally, with reference to policy LP27, the application site lies within the South Peterborough Claylands area. The Landscape Character Assessment (May 2007) identifies that the South Peterborough Claylands area is further subdivided into two, with the application site falling within the South Peterborough Brickfields area. The age of the Landscape Character Assessment must be noted, given the large scale restoration and redevelopment projects which have taken place since publication. With reference to the Huntingdonshire Landscape and Townscape Assessment SPD (2022), the application site is located to the east of the ‘Northern Wolds’.

The application is supported by a Landscape and Visual Impact Assessment (IDP Landscape Ltd – March 2023). Chapter 2 of the revised ES supplements the findings and conclusions of the Landscape and Visual Impact Assessment (LVIA). The LPA sought external advice to assist with the assessment of the LVIA. That advice concluded that “...the LVIA is considered insufficient to support making an informed planning decision” due in part to the absence of phasing details and some inconsistencies in the application of GLVIA3 methodology guidelines. However, the revised ES chapter is considered to be adequate to address the shortcomings of the LVIA such that the LPA can make an informed planning decision.

The LVIA concludes that the most significant impact arising from the proposed development would be on views from Chesterton Hill, to the west of the application site, given the “elevated position within the landscape [which provides] clear views into the Site over the A1 corridor”. It is noted that the site of Scheduled Monument is located just to the north of the location of Viewpoint 8. The “resulting effects for receptors using the public footpath would be of Moderate Significance and Adverse”, however the proposed development would be read in the context of development which surrounds the EESG site. From viewpoints “...within the residential areas to the north, east and industrial areas to the south these effects would be of Moderate adverse or lower”.

As the application is for OPP, future applications will be required to assess the matters reserved from the proposed development – appearance, layout, landscaping and scale. At the OPP stage, the determination to make is whether, in light of the design principles established in the submitted Parameter Plans and DAS,

along with the mitigation outlined in the ES, that an acceptable standard of design can be achieved within the development.

The application is not supported by a Design Code (DC). A DC could set out a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site, based on the 10 characteristics of good places set out in the National Design Guide. A DC would be a useful tool to provide clarity over what would constitute acceptable design quality and safeguards against situations where multiple housebuilders create a piecemeal approach. It is considered that the submitted DAS could provide an acceptable framework to inform a DC which may be secured by condition.

The Residential Densities Parameters Plan (ref. C5266 01\_052 Rev D) indicates three broad areas which the DAS suggests may provide “a range of densities that allow a wide range of homes typologies, sizes, and tenures to aid the delivery of a diverse and mixed community”. Higher densities are located toward the southwest of the application site, with “...development edges [...] expected to have a lower density plotting strategy”. Para. 2.1.5 of the ES indicates that the higher density area would “have a higher build height parameter at 17 m with the build height parameters being lower towards the outer edges, up to 11 m”, although it is noted that Scale would be considered in detail at Reserved Matters stage. This approach is considered to accord with the broader principles of LP16 and paragraph 128 of the NPPF in relation to the efficient use of land.

Two Character Areas are identified in the DAS, the ‘Core’ and the ‘Grid’, with areas of green space along the north and east boundaries, along with a play area in the southwest corner of the application site and provision for sports pitches to the south. The DAS outlines that “...new landscaping could seek to utilise native species, or those with a known benefit to wildlife”, in an effort to promote biodiversity. Further, landscape buffers “along site boundaries can help alleviate indirect impacts (e.g. noise / light disturbance) on adjacent habitats and provide the associated wildlife with areas of refuge” – this approach is reflected in the Blue and Green Infrastructure Parameters plan (ref. C5266 01\_054 Rev E). The conceptual aspects of parking provision within the development (5.4 of the DAS) are considered to be appropriate and the references to LTN 1/20 guidance are noted.

In order to ensure that the development retains the principles established in the supporting Parameter plans and DAS, a condition is required to ensure that each relevant Reserved Matter application is supported by a Design Code to include matters of technical detail and to justify any variance from the plans/documents approved at OPP stage. This approach is considered to be appropriate with regard to transparency and certainty, noting that the DAS covers an area of land which is subject to a separate planning application.

Subject to the imposition of the aforementioned condition, the proposed development is, on balance, considered to be acceptable with regard to LP9, LP16, LP17, LP21, LP22, LP27, LP28 and paragraphs 123, 124 and 128 of the NPPF.

## **Housing Mix**

Policy LP8 of the PLP seeks the provision of affordable housing (AH) on sites of 15 or more units. PCC Housing advised that a “contribution of 30% on this site [equating to] 195 affordable dwellings” would be expected, with a tenure split of “70% affordable rented tenure and 30% intermediate tenure [equating to] the delivery of 137 affordable rented homes and 58 intermediate tenure”.

PCC Housing advised that the following mix of affordable rented homes would be most suitable for PCC:

- 1-bed – 27 units
- 2 bed – 55 units
- 3-bed – 41 units
- 4+-bed – 14 units

The application sets out a commitment to provide 195 units of AH across the site, with a figure of 30% stated in the supporting ‘Housing Statement’, the Design and Access Statement (p.197) and throughout correspondence with the Applicant. The requested house type and tenure mix can be secured through the S106 process, with an appropriate distribution of AH units across the site secured at Reserved Matters stage.

LP8 also identifies that housing should be adaptable to meet the changing needs of people over time and sets out a requirement of 5% of homes to meet Building Regulations Part M4(3)(2)(a). This figure would equate to 33 dwellings. PCC Housing advised a preference for five of the Part M4(3)(2)(a) compliant homes to fall within the rented tenure category, in order to assist those households on the housing register which require fully wheelchair-accessible homes.

As this application is for OPP, with all matters reserved apart from access, a condition would be necessary to ensure that the details submitted at Reserved Matters stage accord with the required quantum of wheelchair-accessible homes. Subject to the imposition of conditions and securing the required mix of house type and tenure through the S106 process, the proposed development is considered to accord with LP8 and paragraph 66 of the NPPF.

## Heritage Impacts

The application is supported by a Heritage Statement and an Archaeological Desk Based Assessment (Archaeological Project Services – March 2023), with the Archaeological Desk Based Assessment (DBA) referenced in the ES. PCC Conservation raised no objection to the proposed development. Historic England offered no comment.

The application site contains no above ground heritage assets (Listed Buildings, Scheduled Monuments, war memorials etc.) and does not fall within a Conservation Area.

The nearest heritage assets:

- Alwalton Conservation Area (within Huntingdonshire) – located approx. 300m to the west, which contains a number of listed buildings
- Orchard House, Alwalton (HE List Entry no. 1130083) – located approx. 320m to the west
- 5 and 7 Oundle Road – a Grade II Listed Building (HE List Entry no. 1331211) – located approx. 360m to the west
- Round barrow cemetery 330m east of Linden Lea – a Scheduled Monument (HE List Entry no. 1020300) – located approx. 405m to the east
- Designed landscape of the Pearl Centre (and two Listed Buildings within) – a Grade II Park and Garden (HE List Entry no. 1462808) – located approx. 450m to the north

The impact of the consented development between the application site and 5/7 Oundle Road and the Alwalton Conservation Area and its associated heritage assets is recognised.

With reference to the proposed Building Heights Parameters Plan (ref. C5266 01\_051 Rev D) and noting the comments from PCC Conservation, whilst elements of the proposed development may well be visible from viewpoints within the Alwalton Conservation Area and the settings of the heritage assets in the vicinity (particularly during winter months when deciduous tree cover is lessened), on balance, the proposed development is not considered to impart an unacceptable detrimental impact upon any of the identified above ground heritage assets. As such, the proposed development is considered to accord with LP19 and section 16 of the NPPF in this regard.

## Archaeology

PCC's Archaeologist did not raise an objection to the proposed development, but recommended that a programme of trial trenching would be carried out to further inform decision making.

The DBA identifies an area of 'High archaeological potential' located upon the east boundary of the application site. Through analysis of aerial photography, ring ditches have been identified which may point to a 'Potential [bronze age] barrow cemetery' (which could be associated with the scheduled monument to the east of the application site) and has the 'potential to provide regionally important archaeological evidence'. The remainder of the site is characterised as having 'low' or 'very low' archaeological potential.

PCC's Archaeologist advised that "...a programme of evaluation by trial trenching should be carried out *pre-determination* to inform decision making" (emphasis added). The ES recognises a "clear [...] need for mitigation measures relating to archaeology on the Site [and] evaluation trenches can "increase the confidence with which statements about the archaeological resource of the Site can be made".

Noting that the application is for OPP, with consideration of layout details to be determined at Reserved Matters stage, the results of a programme of trial trenching can be used to inform the final design of the proposed development. For example, should trial trenching reveal significant findings, those remains can be preserved in-situ by siting areas of open space in that location (which presents opportunities for community engagement and learning), or arranging elements of supporting infrastructure in a manner which is sympathetic to potential subterranean heritage asset/s.

With reference to the 'Archaeology' section of LP19, it must be noted that no timings are specified in relation to the 'field evaluations'. As such, subject to the imposition of a condition to ensure that a comprehensive Written Scheme of Investigation is compiled, including a programme of trial trenching to be carried out prior to/alongside the submission of Reserved Matters for Layout, the proposed development is considered to accord with LP19 and section 16 of the NPPF with respect to potential archaeological assets.

### **Impacts upon the amenity of neighbours**

The main body of the application site is separated from the nearest residential units to the north by a belt of established trees, with a similar arrangement along the eastern boundary of the main body of the application site.

However, the properties upon Oban Drive would have a more direct relationship with the main body of the application site, in the same manner as the properties within Loch Fyne Close would have with the proposed residential development within the parcel of land which sits to the east of Joseph Odam Way. It is noted that the properties upon Rosyth Avenue would have an immediate interface with the proposed access link with Dunblane Drive.

The supporting DAS identifies that the tree belt along the northern boundary will be "retained across the site as mature landscape features". The Arboricultural Report indicates that no trees along the north or east boundary of the application site are proposed to be removed.

The proposed development is for OPP, with all matters reserved apart from Access. As such, the detailed design will be considered as part of future Reserved Matters applications. Accordingly, at the OPP 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, scale and landscaping will require careful consideration at REM stage.

The proposed residential use is reflective of the surrounding land use to the north and east. As such, it is considered unlikely that the proposed use would result in an unacceptable detrimental impact with regard to noise, emissions or other types of pollution which may detrimentally impact the amenity of the vicinity.

Operations and activity associated with the construction phase of the proposed development are more likely to impart a disturbance. Heavy plant movements, site clearance activity and deliveries all have the potential to disrupt the existing character of the area such that living conditions may be detrimentally impacted if left uncontrolled. As such, a condition can be imposed to ensure an appropriate Construction Environmental Management Plan (CEMP) is developed to ensure appropriate working hours, noise limits and compliance with relevant construction industry standards. A review mechanism and point of contact for local residents can also be secured as part of the CEMP. This approach is considered to be reasonable and consistent with other major developments across Peterborough and can acceptably mitigate the impact of development.

Subject to the imposition of the aforementioned condition, the proposed development is considered to accord with LP17 and paragraph 191 of the NPPF.

### **Amenity and Health of Future Occupants**

As the proposed development is for OPP (with all matters reserved apart from Access), the opportunity for detailed assessment of the potential amenity and health of future occupants of the proposed development is also limited. At the OPP stage, a balanced judgement, based on the details available, must be made as

to whether a satisfactory arrangement can be achieved with regard to the amenity and health of future occupants.

Given the scale of the application site, it is considered that it is reasonably likely that the proposed quantum of development can be accommodated on the application site and provide sufficient amenity spaces which are not adversely impacted through overlooking or loss of light. It must be noted that future potential occupants will be aware of the layout and the relationships between properties and would be in a position to make an informed decision as to how those relationships would, or would not, satisfy their individual requirements.

### *Air Quality*

The application is supported by an Air Quality Assessment (Hoare Lea – 18 April 2023) which identifies that the application site is not located within an Air Quality Management Area (AQMA) and “is approximately 8.6 km northeast from the closest AQMA”. Further, recorded concentrations of NO<sub>2</sub> in the vicinity of the application site have not exceeded relevant thresholds and there are no “industrial or waste management sources of air pollution within 2.5 km of the Application Site that could impact local air quality”.

PCC Pollution control raised no objection to the proposed development with regard to Air Quality. As such, the conclusion of the Air Quality Assessment (AQA) – that the application site “is considered suitable for the proposed residential-led use without the need for additional mitigation measures and natural ventilation is suitable for the ventilation strategy from an air quality perspective” – is agreed.

The AQA recommended that a Dust Management plan be secured by condition to ensure that the release of dust during construction operations would “be effectively controlled and mitigated” and any impacts are “not significant [and] temporary and short-term in nature”. Subject to the imposition of a condition to secure an appropriate Dust Management Plan, the proposed development is considered to be acceptable with regard to Air Quality for both future occupants and the occupants of existing residential units neighbouring the application site.

## *Contaminated Land*

The application is supported by a Ground Investigation Report (GRM Development Solutions Ltd – 22 April 2022). PCC Pollution Control raised no objection to the proposed development with regard to the potential for contaminated land. However, it was noted that the submitted Ground Investigation Report (GIR) “...not provide any details relating to the previously mentioned fuel tank, nor the abandoned oil pipeline that bisects the site from west to east”. Whilst the abandoned oil pipeline is not specifically referenced in the GIR, it is recognised that the “...screening for hydrocarbons to date has not revealed such contamination”.

Subject to the imposition of the conditions recommended by PCC Pollution Control, the proposed development is considered to be acceptable with regard to potentially contaminated land.

## *Noise*

The application is supported by a Noise Impact Assessment (Hoare Lea – March 2022). PCC Pollution Control raised an objection to the proposed development “...on the ground of insufficient assessment and consideration of noise” and notes that the “...lower noise levels reported at LT1 require justification”, as the monitored levels are “lower than expected and do not reflect the levels reported in the DEFRA noise maps, nor levels reported in noise reports for comparable locations held by [PCC Pollution Control]”.

Further, with reference to overheating, “... the noise criteria contained in Approved Doc O are incompatible with those recommended in Acoustics Ventilation and Overheating: Residential Design Guide, therefore for overheating where development is affected by noise [PCC Pollution Control] will not accept any noise assessment that relies on internal noise levels detailed in Table 3-3 of Approved O”.

Whilst the concerns are recognised and understood, the following points are noted:

- No objection/concern was raised with regard to the S1 or L2 measurements in the Noise Impact Assessment (NIA). Both the S1 and L2 measurements were taken from inside the application site boundary.
- The application is for OPP, with all matters reserved apart from Access. Accordingly, the layout of the site and the arrangement of internal rooms and external amenity space are unknown at this stage.

The measurements set out within the boundary of the application site (see Figure 3 of the NIA), are generally in accordance with the upper limits of 50-55 dB for external amenity spaces within the relevant guidance without mitigation. The calculations submitted must be recognised as being subject to a level of variance.

Internal noise levels are more readily capable of being successfully mitigated. The ES and NIA outline mitigation measures which could be incorporated to ensure potential noise impacts are reduced, including double glazed window units and standard façade constructions. Other design approaches will further reduce potential noise impacts, i.e. orientating habitable rooms towards quieter areas, ensuring appropriate stacking within the residential unit and installing acoustic garden walls and/or fencing in strategic locations.

It must be recognised that there are some areas within the application site which may be subject to external noise levels which may exceed the thresholds set out in the guidance. However, given that sensitive design approaches may be incorporated the proposed development is, on balance, considered to be acceptable with regard to potential noise impacts, subject to the imposition of conditions to ensure that further analysis is undertaken at the appropriate design stage to confirm the findings set out in the NIA and appropriate mitigation is incorporated into the final site-wide and individual plot design where necessary.

Subject to the imposition of conditions to effectively mitigate potential noise impacts, the proposed development is considered to adequately demonstrate that an acceptable level of amenity for future occupants can be achieved and as such, is acceptable with regard to LP17 and paragraph 191 of the NPPF.

## Health

The application is supported by a Health Impact Assessment (HIA). Whilst PCC Public Health raised an objection to the revised document, it is noted that a HIA carried out at OPP stage would assess the overarching principle and quantum of development, whereas a HIA at REM stage would cover design elements of layout, scale etc. to ensure that the overall quality of the development accords with the relevant LP policies to an acceptable level.

It is the content of both the DAS and the HIA which inform the overarching design principles for site, which will carry through into future REM applications. A condition can be imposed to ensure an updated HIA is submitted as part of the aforementioned Design Code.

### **Section 106 Contributions and Community Infrastructure Levy (CIL)**

As the proposed development is in excess of 500 dwellings, CIL will not be charged, as per the Developer Contributions SPD 2019, and mitigation will be sought via a Section 106 agreement.

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.

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 650 dwellings, would therefore equate to an anticipated population of 2080 people.

The following contributions have been identified as being required by the adopted Developer Contributions SPD, or requested by consultees:

- That 30% (195 units) will be affordable dwellings, with an expected provision of 70% affordable rented tenure and 30% intermediate tenure
- All dwellings should meet Building Regulations Part M4(2)
- 5% of homes should meet Building Regulations Part M4(3)(2)(a)
- Minimum of 5 of the rented tenure dwellings provided to wheelchair standard
- Six plots to accommodate units of custom/self build housing
- 2.83ha of Neighbourhood Parks
- 0.87ha of Natural Greenspace
- 0.60ha of Allotments
- 2 X LEAPs
- Management and maintenance strategy of public realm.
- Health Facility contribution: £897,929
- Additional capacity in the form of a funded 0.5FE extension at one of the local schools
- Primary school contribution
- Secondary school contribution
- PCC Bereavement Services contribution
- East of England Ambulance Service contribution
- Travel Plan/s, associated monitoring fees and appointment of Travel Plan co-ordinator.
- Bus infrastructure including bus stops and bus gates
- Offsite highways mitigation
- Changes to speed limits on adjacent roads

Subject to further review to establish the exact figures, or mechanisms to achieve the figures, 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 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. Any additional or more detailed information that becomes available will be reported in the Update Report



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. The provisions of the Environmental Impact Assessment Regulations 2017 also apply to the assessment and determination of this application.

All of the environmental effects identified in the ES have been found to be within acceptable limits or capable of satisfactory mitigation (to be secured by conditions or Section 106 obligations).

PCC cannot demonstrate a five-year supply of deliverable housing sites. Accordingly, in this instance the 'tilted balance' is engaged and Paragraph 11 of the NPPF states that "permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework taken as a whole".

In this instance the provision of 195 units of Affordable Housing is a significant benefit, along with the provision of market housing within a setting that has the capacity to incorporate green spaces with substantial biodiversity value. On balance, the potential detrimental impacts upon the highway network can be cost effectively mitigated to an acceptable degree.

Whilst the proposed development conflicts with policies LP30, LP36 and paragraph 103 of the NPPF, it does accord with all other relevant Local Plan policies. This conflict with policy is considered to be outweighed by other material considerations, including the application of the NPPF "Tilted Balance" which concludes that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits.

## **7 Recommendation**

APPROVE subject to the conditions outlined below and completion of a S106 agreement, and resolution of outstanding highways issues to the satisfaction of the Local Highways Authority

- Outline Time limit
- Reserved Matters to be submitted
- Reserved Matters Time Limits
- Accordance with submitted Plans/Documents
- Design Code to support REMs – incorporating updated HIA
- Phasing Plan
- Limit dwelling numbers to 650
- Further archaeological investigation (WSI etc) completed prior to commencement
- Fire hydrants scheme
- Submission of appropriate Construction Environment Management Plan
- Submission of appropriate Construction Transport Management Plan
- Submission of appropriate Landscape and Ecological Management Plan
- Adherence to recommendations/mitigation of Ecological Appraisal
- Submission of an Ecological Design Strategy
- Updated bat surveys
- Details of Surface Water Drainage Scheme to be submitted
- Details of Foul Water Drainage Scheme to be submitted
- Waste Management and Minimisation Plan to be submitted
- 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
- REM Layout to demonstrate incorporation of units compliant with Building Regulations Part M4(3)
- REM applications as a whole to deliver biodiversity net gain
- REM applications to be accompanied by new TA to establish exact mitigation
- Details of lighting scheme submitted with REM
- Noise mitigation with REM
- Details of bin collection points to be submitted as part of each REM application.
- Vehicle tracking details to be submitted as part of reserved matters for Layout
- All dwellings to be compliant with Building Regulations Part M4(2),
- All dwellings to accord with water efficiency standard in Part G of building regulations.

- AIA, AMS, TPP
- Contaminated land conditions as per PCC Pollution control comment
- Roads to be constructed to binder course prior to first use.
- Details of construction, long term management and maintenance arrangements of all non adopted roads to be submitted.
- Access highway works to be carried out prior to occupation of first dwelling.
- Dunblane Drive access to be for pedestrians, cycles, buses and emergency vehicles only

Copies to Councillors – Councillor Nicola Day  
Councillor Kirsty Knight  
Councillor Julie Stevenson