

Application Ref:	23/00412/OUT
Proposal:	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
Site:	East of England Showground, Oundle Road, Alwalton, Peterborough PE2 6XE
Applicant:	AEPR Ltd & East of England Agricultural Society
Agent:	n/a
Site visit:	Numerous throughout 2023 and 2024
Case officer:	Phil Moore
E-Mail:	phil.moore2@peterborough.gov.uk
Recommendation:	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 Background

Previous Committee Decision

This application, 23/00412/OUT (Land A), together with related application 23/00400/OUT (Land B), proposes an urban extension including residential development of up to 1500 dwellings, leisure facilities, a hotel, primary school and a care village. Both applications were originally considered by the Planning and Environmental Protection Committee on 15th October 2024 having been recommended for approval by Officers. The Committee resolved to approve 23/00400/OUT (Land B) and refuse the current application – 23/00412/OUT (land A) on the following grounds:

“By virtue of the loss of the showground and speedway track, together with a quantum of dwellings which cumulatively would significantly exceed the allocated 650 dwellings on the showground site, the proposed development is contrary to Policies LP30 and LP36 and para 103 of the NPPF, and there are no other material considerations, including the NPPF “tilted balance” that carry such weight as to outweigh the conflict with the Development Plan”

Call in

A request was subsequently made under Section 2.6.4 of the Council’s Constitution to call in the refused application – 23/00412/OUT (Land A) - to be determined by the Appeals and Planning Review Committee. The request was signed by 40% of those Members present at the Committee and reasons given. The reasons given related to “lack of planning Reasons”, “Outdated policies”, “Inaccurate Figures” and “No consideration of benefits”.

The Executive Director of Place and Economy, in conjunction with the Monitoring Officer, has confirmed that this call in request meets the relevant criteria and is valid in accordance with paragraph 2.6.4.6 of the Planning & Environmental Protection Committee's terms of reference. The Constitution does not call for the Executive Director to make a determination as to the merits of the reasoning set out in the notice, but to determine whether the request itself is valid in accordance with the criteria set out in the Constitution. The Executive Director considers that the call in request is valid and given the balanced nature of the decision, the complexity of the issues, and the number of signatories to the call in, warrants reconsideration of the application by the Appeals and Planning Review Committee.

It should be noted that neither the reasons given for the call-in request nor the perceived motivations of signatories to the call in request are material considerations and must not be taken into account when determining this application.

The Council's Constitution is clear in Section 2.6.4.7 that "*An application that is called-in will be reconsidered by the Appeals and Planning Review Committee in its entirety*". In other words, it must be considered afresh, entirely on its own merits, regardless of the previous Committee resolution.

Counsel Advice

Following the abovementioned call-in, legal advice was sought, including Counsel's opinion. Following receipt of this advice and having considered it against the reasons given in the call-in request, the Executive Director of Place and Economy and the Monitoring Officer were satisfied that the request was valid and were content to accept it.

Changes in circumstances since previous Committee

There have been some material changes in circumstances since the previous Committee that must be taken into account. These include

- The fact that the Council is now able to demonstrate a 5 year land supply of deliverable sites.
- Officers have received legal advice that Local Plan policies LP35 and LP36 do not set an absolute cap on the quantum of dwellings, meaning that any significant increase over and above the indicative 650 would not be contrary to these policies
- A new updated version of the NPPF was published in December 2024.

These issues are considered in detail in further sections of this report.

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 rights 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 associated track which it overlooked to host race meetings until 2023. The speedway track and ancillary features associated with it was removed in 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. More recently, the Arena and part of the showground surrounding it has been used on a temporary basis to facilitate a car storage and maintenance operation – as approved under 23/00251/FUL,

Application site

This application relates to the north eastern part of the EESG (Land A) 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. The speedway track itself and ancillary features associated with it was removed in 2023, and that part of the site cleared. 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 primary school, a care village, a hotel, leisure facilities and associated infrastructure.

This application is the smaller of the 2 applications, and 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 at Joseph Odam Way 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 an Environmental Statement and 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 1960s. 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

Planning law states that decisions must be taken in accordance with the development plan policies, 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

Neighbourhood Plans

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

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. A new updated version of the NPPF was published in December 2024.

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)

No objection, subject to s106 contribution secured received from:

NHS: Confirm that there is no capacity within the existing health infrastructure to absorb additional growth from this application without mitigation. Identify that 2 neighbouring GP centres are most likely to be impacted by the proposed development including Willow Tree Surgery and Nene Valley & Hodgson Medical Practice. Request section 106 contribution of £897,929 for Land A (total £2,072,143 for Land A and B combined) towards additional/enhanced primary care facilities on or off site. Serviced plot of land to be provided if on site.

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 £221,00 for Land A (total £470,900 for Land A and B combined).

PCC Bereavement: Request financial contribution of £29.33 per bedroom

PCC Education: Confirm that the development would generate significant demand for primary and secondary school places. This would need to be mitigated by a financial contribution towards a new 2FE primary school (to be provided on Land B), or alternatively for the developer to provide the Council with a built 2FE school, in line with DfE regulations, and in collaboration with PCC. A financial contribution towards extension/enhancement of secondary schools in the area would also be required. The total contributions for Land A and B combined would be:

- Early years financial contribution of £1,193,920
- Primary School financial contribution of £6,727,280
- Secondary School financial contribution of £13,712,795
- Serviced plot of land on Land B for 2FE Primary School

They confirm that payment of Section 106 monies via a tariff based system with amounts payable being on completion of each house sale would be acceptable to them (subject to agreement with PCC Finance Team). However they would need a long stop date to ensure any borrowing PCC need to forward fund the school, would be paid back in a timely fashion.

PCC Housing: Request 30% affordable housing (195 dwellings on Land A) with the tenure being split between 70% affordable rented and 30% intermediate. 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. 5% of homes should meet Building Regulations Part M4(3)(2)(a) including 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. Would like to see a minimum of 5 of the rented tenure dwellings provided to wheelchair standard

PCC Travel Choice Each occupier of Land will be required to appoint a Travel Plan Co-ordinator (TPC) to oversee the implementation of the Travel Plan (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”.

PCC Open Space Officer: States quantum and type of open space that would be required to be provided via a section 106 agreement in accordance with policy.

Required quantities of Open Space:

2.83ha of Neighbourhood Parks

0.87ha of Natural Greenspace

0.60ha of Allotments

2 X LEAP's

Raises concerns about allotment provision, lack of detail of open space and play areas, and makes various

suggestions and comments around the location and type of open space.

Officer Comment: The Open Space Officer's comments are noted. However as an outline application with all matters reserved except access, the exact design and specification would be assessed and determined at reserved matters stage. The quantum and type of open space and play facilities would be set in the section 106 agreement, and reserved matters applications would be required by condition to be in "broad accordance" with the illustrative masterplan and parameters plans, thereby allowing sufficient flexibility to incorporate the design features suggested.

PCC Highways No objection in principle, subject to adequate mitigation via conditions and section 106 obligations. However, despite the submission of some additional information, which has partially resolved some of the previous concerns raised, there still remain some outstanding 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. Continue to recommend conditions and section 106 obligations.

Officer Comment: PCC Highways have set out clearly in their latest consultee comments what issues can be addressed by condition/section 106 and what additional information is required post committee to resolve the outstanding issues, should the Committee approve the applications. Officers and the LHA are satisfied that a workable solution to mitigate the highways impact of the development can be achieved and that it is not necessary for the issues to be resolved prior to Committee.

Comments received from:

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

PCC Pollution Control: 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.

Active Travel England Concerns about maximising opportunities for walking and cycling and links to the existing network.

Officer Comment: ATE's comments are noted. Access is included as a matter for consideration, meaning that any reserved matters would be required to be in accordance with the position and type of the proposed accesses, as well as the internal movement corridors as shown on the illustrative masterplan and access and movement parameters plans. The exact details of the access and cycle/pedestrian routes would be

assessed and determined at reserved matters stage. Furthermore mitigation in the form of offsite enhancement of the cycleway network can be secured via a section 106 agreement. Officers are satisfied that the proposal at this stage does make provision to maximise opportunities for active travel.

Peterborough Cycle Forum: numerous observations on junction design, road layout, interactions from users and mitigation options.

North Northamptonshire Council: Questions raised about amount of traffic on A605

Objections received from:

Chesterton Parish Council: Raise concerns about the impact of additional traffic on Chesterton

Orton Waterville Parish Council Insufficient consultation with both the Parish Council and local. Concerns that the feedback given by residents has been ignored. 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: 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: Lack of 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.

Officer Comment: There are no bridleways or restricted byways in the immediate vicinity of the EESG and no obligation to provide them in the Local Plan Allocation policy.

British Speedway: British Speedway Promoters' Ltd (BSP) and the Speedway Control Bureau (SCB) object due to the loss of the speedway track. Do not wish to comment on the nature of the lease arrangements with the EESG but stress that the sport has been carried out continuously at the venue since 1970 and is therefore strongly established in the city, arguing also that allegiances cannot easily be changed to other teams. They strongly rebut the conclusions of the "Leisure and Community Impact Assessment" submitted with the application, asserting that the sport is viable in Peterborough. Make reference to an appeal decision relating to the redevelopment of the speedway track at Coventry.

PCC Planning Policy: 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 Public Health: Make a holding objection to the Health Impact Assessment (HIA) on the grounds that in their opinion it is not “fit for purpose” in accordance with Policy LP7. Would like more detailed consideration of the impact on specific population groups.

Officer Comment: Public Health’s comments are noted. However officers are satisfied that the submitted HIA is fit for purpose as it has been carried out in line with best practice and relevant guidance. Furthermore, as an outline application with all matters reserved except access, the exact design and specification would be assessed and determined at reserved matters stage. Reserved matters applications would be required by condition to be in “broad accordance” with the illustrative masterplan and parameters plans, thereby allowing sufficient flexibility to incorporate the design features beneficial to the health and wellbeing of various population groups.

Sport England: In respect of the loss of the speedway venue, they not in a position to provide a detailed response and advised that the LPA defer to the sport’s governing body and the Coventry appeal decision for evidence as to whether NPPF section 104 complied with. Some concerns raised about provision of appropriate sports pitches to meet demand as well as potential for swimming pool.

Officer Comment: Sport England’s comments are noted. However, as an outline application with all matters reserved except access, the exact design and specification of the sports facilities on the site as a whole would be assessed and determined at reserved matters stage. Reserved matters applications would be required by condition to be in “broad accordance” with the illustrative masterplan and parameters plans, thereby allowing sufficient flexibility to incorporate the design features beneficial to the health and wellbeing of various population groups. The loss of the speedway track is discussed further in this report.

Cambridgeshire Wildlife Trust : Do 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 giving rise to the possibility of adverse impacts elsewhere.

Officer Comment: CWT comments are noted. However, as an outline application with all matters reserved except access, the exact design and specification of the green infrastructure on the site as a whole would be assessed and determined at reserved matters stage. Reserved matters applications would be required by condition to be in “broad accordance” with the illustrative masterplan and parameters plans, thereby allowing sufficient flexibility to incorporate the design features beneficial to wildlife and biodiversity.

Peterborough Civic Society: Does not oppose plans for 1500 homes on the Showground site, but object on the grounds that the two planning applications 23/00412/OUT and 23/00400/OUT cannot reasonably be considered as a single applications as residential development alone without the infrastructure and community, leisure, and retail facilities is untenable. 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.

SPURR (Showground Plans Under Resident Review) : SPURR are a local residents group from the Orton Waterville Ward, set up following a public meeting arranged by Cllr Nicola Day. For the avoidance of doubt this is their official representation and any earlier representation claiming to be from SPURR is the view of an individual member rather than the group collectively. SPURR raise a number of concerns. Key concerns include:

- Lack of clarity as to why the overall scheme has been submitted as 2 applications rather than a single application
- Lack of public consultation by applicant
- Conflict with Local Plan policies including loss of showground
- Highway and traffic capacity
- Impact on local infrastructure – in particular education and health

Local Residents/Interested Parties

At 2nd January 2025, across two consultation periods. Note, some addresses duplicated.

Total number of responses: 1011

Total number of objections: 884 - note some addresses duplicated.

Total number in support: 64, along with further letters of support from 56 local organisations. 120 in total.

Total neutral: 7

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

Concerns about the call-in process

Officer Comment: Impact on property values and the legitimacy (or otherwise) of the call-in process are not material planning considerations and cannot be taken into account. Furthermore, the number and strength of expressions of objections or support is not a material consideration in itself. Only those issues raised as part of the consultation that are relevant material considerations can be taken into account.

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.

Changes since previous Committee resolution

5 Year land Supply

At the time of the previous Committee resolution, as well as the call-in, the Council was unable to demonstrate a 5 year land supply of deliverable housing sites. This was a material consideration that was required to be given due weight in the planning balance at that time, although it wasn't in itself determinative.

Paragraph 11 of the NPPF sets out a 'presumption in favour of sustainable development', stating:

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸

granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

Footnote 8 goes on to say:

"This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites"

In the previous (now superseded) version of the NPPF, para. 76 states that LPAs do not have to demonstrate a 5 year land supply of deliverable sites for housing if their plan is less than 5 years old. The Local Plan reached 5 years old on 24 July 2024, meaning that the period of not being required to demonstrate a 5 year land supply ended.

An appeal decision relating to a site in Wansford on 25 July 2024, had established that the Council could not demonstrate a 5 year supply (ref. APP/J0540/W/21/3287538). The inspector noted: "*The housing land supply in the Council's area currently stands at between 3.57 and 4.45 years, which amounts to a significant shortfall of around 518 homes.*"

Consequently, the relevant Local Plan spatial policies relating to housing supply (for the purposes of the

NPPF) were rendered out of date and under the NPPF, the presumption in favour of sustainable development, and what is sometimes referred to as the ‘tilted balance’ was engaged whereby the NPPF says permission should be granted *“unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”*.

However, since the committee resolution and call in, the situation has changed. Following extensive research, the Council’s Planning Policy team published a document on 6th December 2024 which showed that the Council could demonstrate a 6.06 year supply. However the latest version of the National Planning Policy Framework (NPPF), published on 12th December 2024, changes the way housing supply is calculated. A new 5yrs document is likely to be published by the Council in January based on the new methodology, and this is expected to show a reduced figure, although still above 5 years.

What this means is that the Local Plan policies relating to the provision of housing are currently deemed to be up to date and the “tilted balance” no longer applies. Whilst this was an important material consideration that would have to be given due weight as government policy, it would not have been determinative on its own – in other words it does not automatically follow that permission should always be granted in the absence of a 5 year land supply. Taking it out of the equation does not automatically shift the balance towards refusal. Relevant policies of the Peterborough Local Plan are not to be set aside or disregarded, and the tilted balance was one of many material considerations that would have to have weighed in the planning balance.

Quantum of dwellings allowed under LP35 and LP36

Legal advice has been received that in the recommendation to Committee of 15th October, officers had incorrectly interpreted Local Plan Policies LP35 and LP36 in advising that any significant increase in the indicative quantum of development on the showground site would be contrary to these policies. Legal advice to officer has advised that the wording in the policy – “indicative number of dwellings – 650” and “around 650 dwellings” is indicative only and does not set an absolute cap. It was based on an estimate of site capacity at the time of adoption of the Local Plan. The indicative number was reached on the basis of work undertaken up to that point, particularly the amount of development likely to be acceptable from a highways impact perspective (rather than any reflection of site capacity in terms of design, character or other environmental factors).

As the highways impact has been found to be acceptable (as discussed in later sections of the report), this means that the conflict with Local Plan policies is further reduced to those parts of LP30 and LP36 concerned with the loss of the showground and speedway track.

This change in interpretation effectively counterbalances the fact that the Council can now demonstrate a 5 year land supply.

Updated NPPF

A new version of the NPPF was published in December 2024. In respect to this application the changes are mainly around the change to paragraph numbers e.g. para 103 now being 104. There are also some changes to the way that LPAs must calculate housing supply as mentioned above.

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 in accordance with planning judgment.

Development Plan Policies relevant to the principle of the proposed development

The following policies are the key PLP policies relating to the principle of development

- LP2: The Settlement Hierarchy and the Countryside
- LP3: Spatial Strategy for the Location of Residential Development
- LP5: Urban Extensions
- LP30: Culture, Leisure, Tourism and Community Facilities
- LP35: Urban Extensions Allocations
- LP36: East of England Showground

The other policies listed in the first paragraph of section 3 of this report are considered to have less importance (in relation to the principle of development) than the six 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: The Settlement Hierarchy and the Countryside - seeks to restrict development in the open countryside, outside of village envelopes and outside the Peterborough Urban Area boundary, unless particular criteria are met. The EESG site falls outside the Peterborough Urban Area boundary, as defined on the policies map. However, the policies in the Local Plan need to be read as a whole and the EESG site is not open countryside but predominantly brownfield land surrounded by industrial and residential development on 3 sides. Furthermore LP3 expressly allows residential development on the edge of the urban area including the EESG, and LP2 itself is subject to the express allocation of the EESG within LP35

and the bespoke EESG policy in LP36. LP2 therefore does not restrict the development of the EESG as an urban extension.

LP3: Spatial Strategy for the Location of Residential Development - directs the majority of residential development to sites within the Peterborough urban area or to new urban extensions on the edge of the city, including the EESG site.

LP5: Urban Extensions - sets out the development principles for urban extensions, including (but not limited to) making efficient use of land, provision of schools and community facilities, employment opportunities, maximising sustainable transport, appropriate green spaces, good access and highway mitigation.

LP30: Culture, Leisure, Tourism and Community Facilities - supports development of such facilities, subject to various criteria. Equally loss via redevelopment of such facilities is only supported subject to the following criteria:

(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.

LP35: Urban Extensions Allocations - allocates various sites on the edge of the city for development as urban extensions, including the EESG, giving an indicative quantum of 650 dwellings, although this figure is not an absolute cap.

LP36: East of England Showground - gives specific principles for development of the EESG urban extension including support for new showground facilities, conference facilities (D1 and D2, now use class E), employment related development and residential development of around 650 dwellings, although this figure is not an absolute cap. It also requires a masterplan demonstrating how a functioning showground would be retained, and states that loss of leisure and sports facilities would not be supported unless replacement facilities are provided in accordance with LP30.

Assessment against Local Plan Policies

As set out in the policies above, the Local Plan supports in principle, the development of the EESG site as an urban extension of approximately 650 dwellings (although this is not an absolute cap), employment development, leisure and conference facilities, provided that it is master planned and incorporates a functioning showground.

The current application 23/00412/OUT for Land A, (together with the approved application 23/00400/OUT for land B) proposes an urban extension including residential development, leisure facilities, a hotel, primary school and a care village) set out in a masterplan which, in terms of the types of development proposed, is partially in accordance with the policies above. However, the proposal does not completely align with the expectation of Local Plan policy, as other than the retention of the arena, it does not include the retention of a functioning showground (at least for outdoor events). Furthermore, the quantum of dwellings – 1500 - is significantly over the indicative 650 mentioned in the allocation, although it must be noted that this figure is indicative and does not set an absolute cap on numbers.

Taking each element in turn:

Loss of the Showground and Speedway Track Summary

The supporting text of Policy LP36 describes the EESG as “a unique facility with a wide variety of land uses”. The wording of the policy itself does not explicitly state that the showground must be wholly retained in its current form, although it is implied that some form of showground use should remain stating that “a masterplan must demonstrate how the functioning showground will be retained”. Furthermore the loss of existing leisure and sports facilities at the EESG is not supported unless replacement facilities are provided in line with policy LP30.

The proposals would result in loss of the showground in its current form, although to some extent this would be offset by the provision of alternative leisure and sports facilities. The development of these new leisure facilities (former use classes D1 and D2 – now Class E) is supported by LP36. Whilst not strictly “employment uses” for the purposes of LP36, they would also generate a significant number of jobs. The retention of the existing indoor arena building would also enable that aspect of the showground use (indoor concerts, conferences, exhibitions etc) to continue. New sports facilities including sports pitches would be provided. The loss of the existing functional showground facilities would result primarily from land taken up by the residential element of the development.

Viability 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 it concludes that "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".

Officers consider that it has not been demonstrated that the outdoor showground use could not continue to be viable in some form, although it is accepted that there are significant long term challenges to continuing the showground use. It is also clear that since the adoption of the Local Plan, the prospects for the continued use of the showground in its current form have worsened.

Viability of Speedway at the EESG

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 report identifies that:

- The Peterborough Panthers Speedway 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.

The overwhelming majority of objections received in relation to the proposal relate to 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, including 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. Notwithstanding the above, the strength of objection is not in itself a material consideration, only the material issues raised.

Objectors, including British Speedway have referred to a recent (Jan 2024) appeal decision - APP/E3715/W/23/3322013 – relating to replacement of Coventry Speedway Stadium with residential development and a sports pitch. This appeal was dismissed, and the circumstances are materially different to the current application but the decision did identify that need and viability are two distinct and separate matters. For the avoidance of doubt, whilst some weight can be attached to the fact that speedway activities in Peterborough ceased in 2023 and the speedway track has been dismantled, meaning that effectively it no longer exists, that is not to say that it could not be easily rebuilt and remain a viable sporting venue. The application does not include clear evidence that the buildings/land were surplus to requirements, instead relying upon viability concerns.

However it is understood that the applicants have asked the speedway team to come forward with a viable business plan but so far this has not been forthcoming. Notably British Speedway have declined to comment on the leasehold arrangements for the track. It is also the case that none of the representations submitted to date have outlined a commitment to meeting the financial outlay to reinstate the Speedway track.

Further an application was made to designate the track as an “asset of community value” which was rejected on the grounds of a lack of information on how the track could become operational again.

Loss of Showground and Speedway Conclusion

In respect of policy LP36, the proposal would result in the loss of a functioning showground for outdoor events, although, the retention of the Arena would allow indoor events to continue. However given that the policy requires a masterplan to demonstrate how a functioning showground would be retained and no part of the showground would remain on land A, the proposal does not fully accord with policy LP36.

In respect of policy LP30, only one of the criteria has to be met for the loss of the showground to be acceptable. Clearly criteria (k) and (m) cannot be met – as mentioned above, it hasn't been demonstrated that the facility is no longer fit for purpose and an alternative facility of a similar nature is not being provided. Criteria (l) can be met if alternative provision is available in reasonable proximity. 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 wider outdoor showground facility, it is considered that an alternative provision exists within reasonable proximity and criterion (l) of policy LP30 is met.

In contrast to the wider EESG, 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. 50 minutes drive from Peterborough.

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.35 mile journey and it is not unusual for sports teams to temporarily use another team's venue whilst their own is not available. On the other hand there is a possibility that the Peterborough Panthers Speedway team could be lost entirely, with no alternative provision. Therefore, in respect of the speedway track policy LP30 criterion (l) is not fully satisfied.

In conclusion, the loss of the wider showground, including the loss of the speedway track (or opportunity for it be reinstated) would be contrary to the relevant parts of policies LP30, and LP36.

Quantum of Dwellings

Policies LP35 and LP36, give an indicative number of dwellings of approximately 650. This does not set an absolute cap on the number of dwellings and was based on an estimate of site capacity at the time of adoption of the Local Plan. The indicative number was reached on the basis of work undertaken up to that point, particularly the amount of development likely to be acceptable from a highways impact perspective (rather than any reflection of site capacity in terms of design, character or other environmental factors).

Following the approval of the 850 dwellings on the B land, the total would be 1500 dwellings. Whilst this is significantly above the indicative quantum of 650 given in policies LP35 and LP36, it does not necessarily follow that this aspect of the policies is not complied with. If delivered in isolation, the current application would equate to the total number indicatively included in the plan, but within a smaller area.

Other Material Considerations Weighing Against

NPPF para. 104

Paragraph 104 of the NPPF is similar to LP policy LP30 and is set out below:

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 equivalent 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.*

The showground and speedway track have not been demonstrated to be surplus to requirements, the proposal does not include equivalent replacement provision, and on their own the alternative leisure/sports uses are not sufficient to outweigh the loss.

Therefore the proposal does not accord with NPPF para. 104. This is a material consideration that should be given significant weight in the planning balance. Together with the conflict with Local Plan policies LP30 and LP36, this creates a strong policy presumption against the grant of permission which must be weighed against the following material considerations that weigh in favour of the proposal.

Other Material Considerations Weighing in Favour

Compliance with all other Local Plan policies and the remainder of the NPPF

Whilst the proposal is not fully in accordance with policies LP30 and LP36, and NPPF para 104, importantly it is only a partial conflict with the policies relating specifically to the loss of the outdoor showground function and speedway track. These issues are discussed in detail elsewhere in this report. In other ways, the proposal as a whole complies with these policies as it is a master planned urban extension on an allocated site, which accords with the principles of LP5, which retains the indoor arena element of the showground and provides conference and alternative D1/D2 uses (now class E)

The proposal fully complies with all other Local Plan policies and the remainder of the NPPF. In terms of environmental impacts, the Environmental Statement and consultee comments have demonstrated that the impacts are acceptable or can be mitigated.

The extent of the policy conflict must be weighed in the planning balance against compliance in all other respects.

Up to Date Transport Modelling

Policies LP35 and LP36, give an indicative number of dwellings of approximately 650. This does not set an absolute cap and was based on an estimate of site capacity at the time of adoption of the Local Plan. The indicative number was reached on the basis of work undertaken up to that point, particularly the amount of development likely to be acceptable from a highways impact perspective (rather than any reflection of site capacity in terms of design, character or other environmental factors).

The applications have been accompanied by a comprehensive Transport Assessment which has demonstrated to the satisfaction of the LHA that subject to mitigation, the highway network can accommodate the volume of traffic that would be generated by the proposals, including the increased quantum of dwellings. Highways issues are discussed in more detail in the "Transport Impacts" section of this report.

Whilst clearly the quantum of dwellings is significantly higher than the indicative figure given in policies LP35 and LP36, the traffic modelling information and analysis that was not available at the time of the local

Plan adoption is a significant material consideration that should be given significant weight in the planning balance.

Use of land A as showground following approval of land B

Following the approval of Land B, the area of showground that would remain (land A) would be significantly reduced. This would in turn be likely to reduce the potential viability of the site as a functional showground even further, particularly in the light of evidence of the long term decline in showground usage and therefore its long term future.

The approval of development on Land B, and what is judged to be a strong prospect of delivery of that scheme, should be taken into account in this decision. If, as seems likely, that development is delivered, it would reduce the scope for the showground to function as such and this should be given significant weight in the planning balance.

Use of land A for speedway following approval of land B

The speedway track and ancillary features were removed by the operator (Peterborough Speedway Limited) and the site cleared, following the cessation of speedway events in 2023, meaning effectively that it no longer exists. Whilst it has not been demonstrated that speedway was unviable or could not be made viable at the EESG, as engineering operations, planning permission would be required to rebuild the track and reinstate the associated structures. Since the approval of development on land B, the context of the site will materially change, and as there is a high probability that development of Land B will go ahead, any proposed reinstatement of the speedway track would have to consider noise impact on the approved 850 dwellings, some of which would be directly adjacent to the site of the track. It is highly unlikely that the noise impact would be acceptable in this context. Equally if the track was moved away from its original site within land A, the noise impact on existing dwellings would be unacceptable.

Although it can never be completely ruled out, the probability of speedway returning to the EESG, even in the event that this application was refused, is extremely low, given the above, as well as the fact that the landowners have made it quite clear that they have no intention of allowing speedway to recommence at the EESG.

Further, whilst there is a conflict with LP policies LP30 and 36 as well as NPPF para 104, in that it has not been demonstrated that speedway is unviable at the EESG, neither has it been demonstrated by those in favour of its retention that it is, or can be made viable.

And these factors must be given significant weight in the planning balance.

High quality design and layout

The design, insofar as it has been set at outline stage, is of high quality and enhances the site and its wider context. Notwithstanding the fact that 2 separate planning applications have been submitted, the proposal for Land A should be seen as part of the wider EESG redevelopment rather than a completely stand alone development. It complements and enhances the approved scheme on Land B, and is indeed an essential component in the development as a whole, particularly as it contains the “village green” which is the focal point of the overall development. Crucially it is also key to connectivity and sustainable travel and includes the main pedestrian/cycle route to the north east providing a logical route connecting to the National Cycleway network and the Green Wheel towards Ferry Meadows and the wider Nene Park, Orton Wistow and onwards towards the city centre, as well as east west connections from land B towards the Ortongate Centre – these are essential elements that contribute significantly to the overall sustainability and design quality of the development as a whole. Land A also includes a significant proportion of the sports pitches within the “Cultura Place” leisure area, the eastern and northern frontages to the main tree lined avenue, and continuation of the landscape buffer along the eastern and northern boundaries.

The development as a whole (land A and land B together) is clearly greater than the sum of its parts, being a well designed and master planned complete sustainable urban extension rather than disjointed incremental development.

Despite the conflict with parts of policies LP36 and LP30, the proposals for both land A and land B, are fully in accordance with the principles for urban extensions set out in LP5, the design section of the NPPF and the principles of good design set out in the National Design Guide.

Furthermore, both applications will be subject to a single section 106 agreement, ensuring that the development is brought forward as a single urban extension with phasing that brings forward community and leisure facilities in a timely manner.

The factors outlined above should be given significant weight in the planning balance.

Housing

The proposal would provide 30% affordable housing which equates to 195 affordable dwellings on land A (in addition to the 255 affordable dwellings already approved on land B combined) which is significantly above what the allocation would have provided if the quantum of dwellings had been restricted to the indicative 650 dwellings. The 30% is also a significantly higher percentage than what would normally be expected on large urban extensions due to viability concerns. The applicant has not sought a reduced quantum on the grounds of viability. Great Haddon, Norwood and Hampton all have much lower percentages due to the additional infrastructure and abnormal costs involved in those cases, which is not necessary in this case. This would be a significant contribution to the provision of affordable housing both nationally (as highlighted in the Written Ministerial Statement of 28/10/24) and within the city.

Furthermore, the Government has identified a pressing national requirement for more housing generally, and their intention to meet this need (as highlighted in the Written Ministerial Statement of 30/07/24). The proposal would contribute significantly to this goal.

It should also be noted that the fact that the Council can now demonstrate a 5yls does not impose a cap on the overall number of dwellings that can be approved within the City within any given timescale. The purpose of the 5yls required by the NPPF is to prevent undersupply rather than impose a limit once a target has been reached. There is no guarantee that the Council will always be in a position to continue to be able to demonstrate a 5yls over the coming years.

Furthermore, the proposal would contribute significantly to the Council's ability to demonstrate a 5yls over a number of years and moderate weight should be attached to this. In year 5 of the current Local Plan only 50 dwellings were anticipated to be completed on the EESG site. Clearly none have been delivered so far. However future delivery will be factored into the Council's ongoing monitoring and analysis of the 5 year land supply. To be included in the 5 year land supply at any particular point, sites have to be deliverable within 5 years. In respect of the EESG, it will take 6 months (assuming no extenuating circumstances) to complete the section 106 agreement and issue the decision, then there are numerous pre-commencement conditions to fulfil, followed by pre-application engagement, and then submission and assessment of reserved matters applications. Building works would be unlikely to start for some considerable time yet. Furthermore the residential element will be required to be phased so that community and leisure facilities are provided at various trigger points in a timely matter. The rate of build out will also depend on economic and market conditions including a number of other developments going on in Peterborough at the same time which will include Great Haddon, Hampton, Norwood and others.

The issues mentioned above should collectively be given significant weight in the planning balance.

Significant economic, social and environmental benefits

There would be short-term benefits to the local and wider economy from direct and indirect employment associated with construction and associated industries which should be given moderate weight. Significant weight should also be given to the longer term benefits. Future residents and visitors would be likely to support local shops, services, and facilities through expenditure, including those at Orton Wistow, Orton Brimbles and those approved on Land B. The new open space, sports pitches and play areas would be accessible to residents of existing adjacent areas, enhancing health and wellbeing. Although the application was submitted prior to mandatory 10% biodiversity net gain (BNG), the proposal would significantly increase BNG through new landscaped areas. The proposal, by virtue of its density would also involve an efficient reuse of predominantly brownfield land, which would lessen the demand for development of greenfield sites, and associated loss of agricultural land.

These would all constitute social, economic and environmental benefits to the wider community which should collectively be given significant weight in the planning balance.

Principle of Development Conclusion

The proposal is not in accordance with some sections of Local Plan policies LP30 and LP36, due to the loss of the showground (including speedway track). It is also not in accordance with NPPF para 104. This creates a strong policy presumption against the grant of permission which must be weighed against any material considerations that may weigh in favour of the proposal.

Notwithstanding the identified conflict with the policies outlined above, in terms of the principle of development, the proposal is in accordance with spatial policies LP2, LP3 and LP35, and other sections of LP30 and LP36. It also accords with the principles of urban extensions as set out in LP5.

In addition, there are a number of material considerations, outlined in the previous sections which weigh strongly in favour of the proposal. These include accordance with all other section of the NPPF, a robust demonstration that highways impacts can be accommodated and mitigated, economic, social and environmental benefits, significant contribution to meeting housing (including affordable housing) need, limited future prospects of the showground and speedway uses following approval of land B, the creation of a truly sustainable high quality urban extension (together with land B).

Whilst the planning balance in this case is somewhat finer than previously approved 23/00400/OUT (Land B), in combination, the weight of the material considerations outlined above is substantial, and more than sufficient to outweigh the conflict with LP30, LP36 and NPPF para 104. The principle of development is therefore acceptable.

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 stand alone 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 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 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 overall development (Land A and B) must be assessed both in terms of its impact on the character of the wider landscape and on the quality of the design itself and whether it creates a sense of place and integrates well with surrounding areas and the way they function.

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 Peterborough urban area with the South Peterborough Claylands area immediately to the west. The Landscape Character Assessment (May 2024) identifies that

the South Peterborough Claylands area is further subdivided into two, with the area to the west of application site falling within the South Peterborough Brickfields area. 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".

Taking the above into account the impact on the character of the surrounding landscape would be acceptable and in accordance with policies Local Plan policies LP27 and LP16.

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 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.

In Land A, 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) is considered to be appropriate and the references to LTN 1/20 guidance are noted.

Overall, the design, insofar as it has been set at outline stage, is of a high quality and would create a sense of place which would enhance the site and its wider context. It meets the requirements of LP16, LP7 and LP5 in terms of the layout and mix of uses and design principles.

The application is not supported by a detailed Design Code (DC). A DC could set out a set of more detailed 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.

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.

In accordance with LP5 5% of the dwellings would be required to be self/custom build on serviced plots.

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 NO₂ 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.

The Section 106 Heads of Terms set out below are necessary in accordance with Local Plan Policy LP14 – Infrastructure to Support Growth, read together with the Developer Contributions SPD, and the NPPF (paras. 56 - 58), to ensure that appropriate infrastructure is provided to mitigate the impacts of the development, primarily in this case related to affordable housing, healthcare, education, community facilities, open space, and upgrading highways. In accordance with reg 122 of the Community Infrastructure Levy (CIL) Regulations (2010) and the policy tests of the NPPF, all section 106 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.

A reduced level of Section 106 contributions would only be considered in exceptional cases, and only when the applicant is able to demonstrate through submission of an “open book” viability assessment that the full policy compliant level of contributions would make the development unviable. In this case, as no such assessment has been submitted, the full amount of section 106 contributions is due.

Officers are satisfied that the financial contributions and other obligations requested by PCC Education, the NHS and others are based on robust evidence and worked out using appropriate formulas and that the legal tests are satisfied.

The financial contributions below are approximate and based on the maximum number of dwellings being constructed. The Section 106 agreement could include either a requirement to pay lump sums at specified trigger points, or alternatively via a tariff based system i.e. worked out “per dwelling” and paid in instalments on completion of specified numbers of dwellings e.g. 10, but with a “long stop” date by which the full

contribution must be paid in the event that development does not progress to completion and where PCC has forward funded and built infrastructure such as the school.

A single Section 106 agreement will be sought to cover both sites (Land A and B), as they form 2 parts of the same wider development and are in the same ownership and have the same applicant. This will be the most effective way to ensure that the necessary infrastructure is provided in a timely manner to serve the site as a whole, and to avoid a scenario where only the residential element is built, especially given that the public benefits of the leisure and community facilities element carries significant weight in the planning balance.

The combined Section 106 requirements for 23/00400/OUT (Land B) and 23/00412/OUT (Land A) are set out below:

Housing

- 30% of all dwellings on site to be affordable housing with an expected provision of 70% affordable rented tenure and 30% intermediate tenure
- Minimum of 5% of all dwellings on site to be self or custom build

Education

- Early years financial contribution of £1,193,920
- Primary School financial contribution of £6,727,280
- Secondary School financial contribution of £13,712,795
- Provision of a serviced plot within Land B of 2.2ha for a 2FE Primary School – to be built by PCC. Note – alternatively the school could be built by the developer, to agreed specifications, in lieu of the early years and primary school contribution

Healthcare

- Financial contribution of £2,072,143 towards additional/enhanced primary care facilities on or off site. Serviced plot of land to be provided if on site.
- Financial contribution relating to the care village to be worked out using the formula set out in the “additional consultee comments” above, once exact scale and details of the care village is known
- Financial contribution towards PCC Bereavement Services of £29.33 per bedroom
- Financial contribution towards East of England Ambulance Service of £470,900

Community Facilities

- On site community facilities scheme to include but not limited to – community hall/space, shop to serve local needs, medical facilities, sports facilities, public house/restaurant, timetable for implementation

- In the event that 23/00400/OUT is refused and 23/00412/OUT is approved, a limitation on the number of dwellings on Land A that can be occupied before community facilities have been provided elsewhere on the showground site.

Open Space

- 6.53ha of Neighbourhood Parks
- 2.02ha of Natural Greenspace
- 1.39ha of Allotments
- 1 x NEAP
- 2 x LEAPs
- Management and maintenance strategy for public realm.
- Offsite contribution for upgrade of Skye Close Play Area (amount TBC)

Highways and Transport

- Travel Plans and monitoring fee(s)
- Speed limit changes to Joseph Odam Way / Orton Northgate, and Dunblane Drive area.
- Speed Limit changes on Orton Parkway.
- Financial Contributions to off-site highway schemes (including the ATF4 active travel scheme on Oundle Road, including mitigation at the Nene Parkway/Oundle Road junction, and mitigation at Junction 5 of Fletton Parkway (A1139))
- Financial Contributions to off-site cycleway infrastructure including wayfinding and lighting improvements on existing cycle network in the vicinity of the site (additional signage, markings etc. and street lighting)
- Trigger points for highway mitigation works
- Milton land vehicular access to be provided and maintained via Joseph Odam Way.
- New TAs for Reserved Matters applications to monitor the ongoing development and its impact and determine the level of highway mitigation required (if less than the worst case scenario).
- Bus service, trigger points, bus stop and bus gate (ANPR camera enforced) requirements.
- All on-site cycle routes to be a minimum of 3m width and accord with LTN 1/20.
- Shared-use footpath/cycleway connection to existing route between Fraserburgh Way and Kilbride Way to be provided.
- Installation of multimodal sensors to count trips (classified vehicles, pedestrians and cyclists)
- Additional highway modelling to be carried out at various stages (reserved matters) to determine whether the trigger points need to be amended, or alternative mitigation provided.

6 Conclusion and Planning Balance

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.

The proposal is not in accordance with some sections of Local Plan policies LP30 and LP36, due to the loss of the showground (including speedway track). It is also not in accordance with NPPF para 104. This creates a strong policy presumption against the grant of permission which must be weighed against any material considerations that may weigh in favour of the proposal.

Notwithstanding the conflict with the policies outlined above, the Environmental Statement has demonstrated that the environmental impacts are acceptable or can be satisfactorily mitigated. Furthermore, the proposal is in accordance with spatial policies LP2, LP3 and LP35, and other sections of LP30 and LP36. It also accords with the principles of urban extensions as set out in LP5. It is also in accordance with all other relevant Local Plan policies.

In addition, there are a number of material considerations, outlined in the previous sections which weigh in favour of the proposal. These include accordance with all other section of the NPPF, a robust demonstration that highways impacts can be accommodated and mitigated, economic, social and environmental benefits, significant contribution to meeting housing (including affordable housing) need, limited future prospects of the showground and speedway uses following approval of land B, the creation of a truly sustainable high quality designed urban extension (together with land B).

In combination these considerations carry substantial weight and on balance, are considered to outweigh the identified conflict with policy. The proposal is therefore acceptable subject to conditions and a section 106 agreement.

7 Recommendation

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

Final wording of conditions and section 106 agreement to be delegated to officers, subject to broad accordance with the schedule of conditions and Section 106 HOTS outlined above.

If either the required Section 106 legal agreement has not been completed or the outstanding highways issues have not been fully resolved within 6 months from the date of the committee meeting, and there are no extenuating circumstances which would justify a further extension of time, then the Committee delegates the issuing of a notice of refusal to the Executive Director of Place and Economy on the grounds that the development has failed to adequately mitigate its impacts.

Conditions

Time Limits and requirement for submission of Reserved Matters

- Outline Time limit
- Reserved Matters to be submitted
- Reserved Matters Time Limits

Approved Plans

- Site location Plan
- Access Plans

Scope of Permission

- Limit dwelling numbers to 850
- Limit Class E floorspace to 20,300 sqm of Class E [Class E (a), (b), (c), (d), (e),(g) (i)] and F1 floorspace of which not more than 1000 sqm of floorspace to be Class E (a) and not more than 1000 sqm of floorspace to be Sui Generis drinking establishment / drinking establishment with expanded food provision

Phasing and Design

- Submission of Design Codes/Briefs for residential and leisure elements of the development – incorporating updated Health Impact Assessment
- Submission of Phasing Plan

Reserved Matters Applications (REMs) to include

- REMs to be in broad accordance with parameters plans and illustrative masterplan REMs to be in accordance with Phasing Plan and Design Code
- REMs 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
- REMs to be accompanied by an updated TA to establish exact mitigation
- REMs to include details of lighting scheme
- REMs to include details of lighting scheme
- REMs to include details of bin collection points
- REMs to include details Vehicle tracking details to be submitted as part of reserved matters for Layout

Highways and Transport

- Submission of appropriate Construction Transport Management Plan
- Roads to be constructed to binder course prior to first use.

- Submission of details of construction, long term management and maintenance arrangements of all non adopted roads
- Access highway works to be carried out prior to occupation of first dwelling.
- Notwithstanding the Access and Parameters Plan, Dunblane Drive access to be for pedestrians, cycles, buses and emergency vehicles only

Ecology and Trees

- Submission of appropriate Landscape and Ecological Management Plan
- Submission of an Ecological Design Strategy
- Submission of appropriate Construction Environment Management Plan
- Submission of updated bat surveys and appropriate mitigation measures
- Adherence to recommendations/mitigation of Ecological Appraisal
- Submission of Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan

Drainage

- Submission of Surface Water Drainage Scheme
- Submission of Foul Water Drainage Scheme

Other

- Further archaeological investigation (WSI etc) completed prior to commencement
- Fire hydrants scheme
- Waste Management and Minimisation Plan to be submitted
- 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.
- Contaminated land conditions as per PCC Pollution control comment

Appendices

Appendix A – Minutes of the meeting of the Planning & Environmental Protection Committee held on 15 October 2024

Copies to Councillors – Councillor Nicola Day

Councillor Kirsty Knight

Councillor Julie Stevenson

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