

22/01045/VARM

Land Parcel North And West Of Millfield Primary School

Grange Lane

Littleport

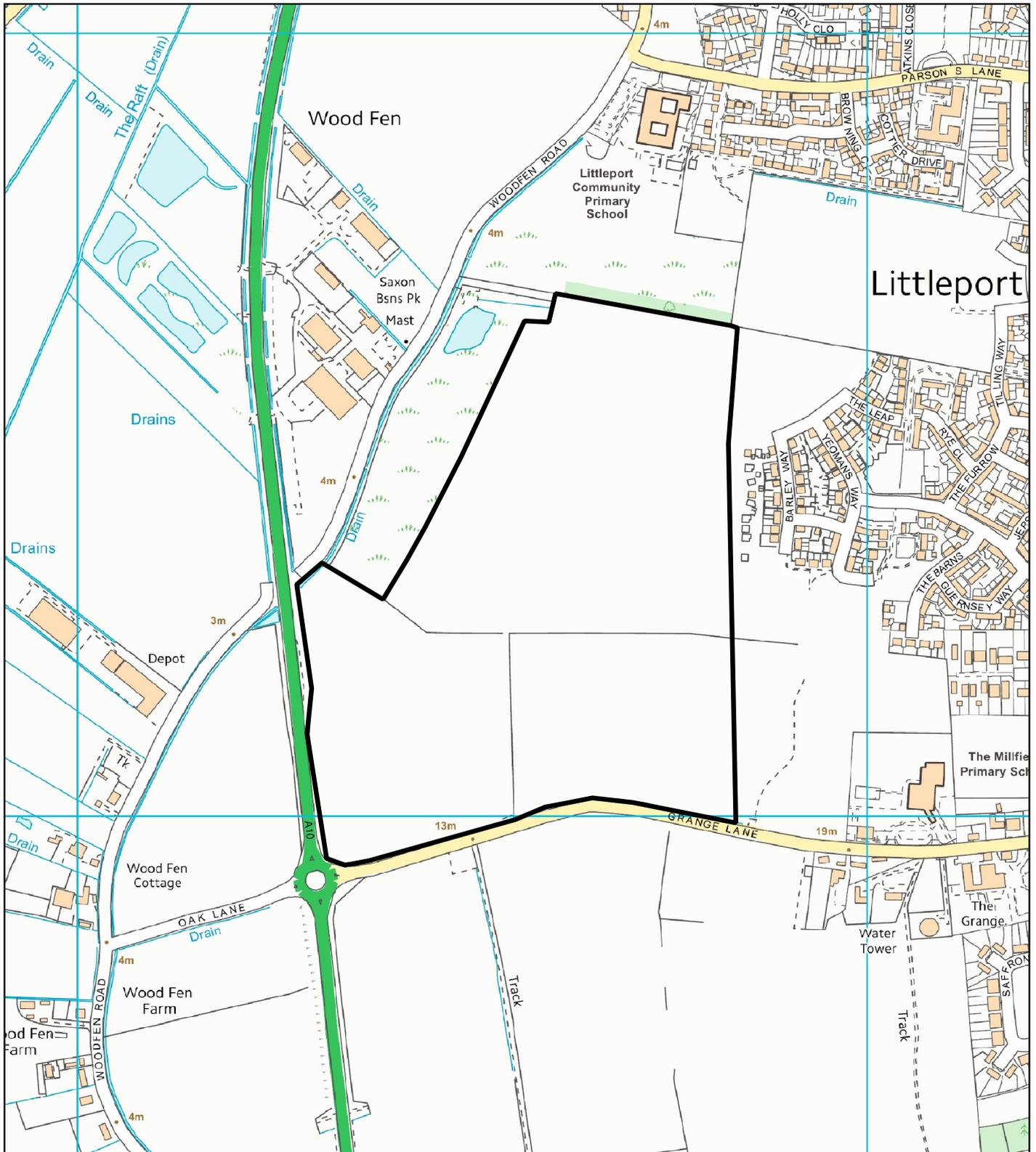
Cambridgeshire

To vary Conditions 1 (Approved Plans), 24 (Footpath), and 25 (Speed Limits) of previously approved 17/00757/ESO for Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RLDW5IGG0FA00>





22/01045/VARM



Land Parcel North And West
Of Millfield Primary School
Grange Lane
Littleport

East Cambridgeshire
District Council

Date: 21/03/2023
Scale: 1:7,000



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TITLE: 22/01045/VARM

Committee: Planning Committee

Date: 5 April 2023

Author: Senior Planning Officer

Report No: X190

Contact Officer: Holly Chapman, Senior Planning Officer
holly.chapman@eastcambs.gov.uk
01353 616360
Room No 011 The Grange Ely

Site Address: Land Parcel North And West Of Millfield Primary School Grange Lane Littleport Cambridgeshire

Proposal: To vary Conditions 1 (Approved Plans), 24 (Footpath), and 25 (Speed Limits) of previously approved 17/00757/ESO for Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Applicant: Littleport Developments LLP

Parish: Littleport

Ward: Littleport

Ward Councillor/s: Christine Ambrose-Smith
David Ambrose-Smith
Jo Webber

Date Received: 1 December 2022

Expiry Date: 12 April 2023

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application subject to the recommended conditions summarised below: The conditions can be read in full on the attached appendix 1.

1. Approved Plans
2. Reserved Matters
3. Time Limit
4. Fire Hydrants (first phase)

5. Fire Hydrants (second phase)
6. Adoptable Roads
7. Design Code
8. Foul water
9. Tree Protection
10. Construction Environmental Management Plan (CEMP)
11. Unidentified Contaminated Land
12. Construction Times
13. Detailed Waste Management and Minimisation Plan
14. Retail Limit
15. Internal ceiling heights
16. Annexes
17. Noise mitigation/protection
18. Tree Protection
19. Ecological protection
20. Ecological enhancement (first phase)
21. Ecological enhancement (second phase)
22. Sustainability
23. Strategic Surface Water
24. Phased surface water
25. Dwelling limit
26. Grange Lane access and footpath
27. Grange Lane speed limits
28. Broadband (first phase)
29. Broadband (second phase)

- 1.2 Members are advised that the condition list set out at Appendix 1 is subject to change in its wording. This is on the basis that a discharge of condition application, pursuant to the original outline consent under LPA Ref. 17/00757/ESO, is still pending consideration at the time of the application consideration. Whilst this discharge of condition application is nearing determination, it is not able to be discharged at the time of preparing this report. Members will be updated on the day of committee if any conditions have been discharged and the recommended conditions reworded.

2.0 SUMMARY OF APPLICATION

- 2.1 The application proposals seek consent to vary the access details approved under outline consent LPA Ref. 17/00757/ESO for *“Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping.”*
- 2.2 A non-material amendment to the above outline was agreed by the Local Planning Authority on the 22nd October 2020 to increase the width of the approved access secured under the outline consent from 6 metres (c.19.7 feet) to 6.2 metres (c.20.3 feet) in width. This was to regularise the site entrance in order to allow the site entrance to be used for buses.
- 2.3 The 2017 outline consent considered only matters of access, with all other matters relating to layout, scale, appearance and landscaping reserved for later consideration. The matters of access agreed under the 2017 outline included the

provision of a footpath along Grange Lane, directly adjoining the carriageway edge, providing a pedestrian link between the application site's vehicular entrance along Grange Lane and the mini-roundabout/Yeoman's Way, further along Grange Lane to the east.

- 2.4 The application proposals under consideration seek to remove the provision of the pedestrian footpath along Grange Lane in favour of an enhanced 3 metre (c.10 foot) wide shared pedestrian and cycle link to be provided further back into the site, set back from the carriageway edge.

Linked Application LPA Ref. 22/01378/VARM

- 2.5 Members are advised that the current outline variation application under consideration within this report (LPA Ref. 22/01045/VARM) is directly linked to the currently pending reserved matters variation application LPA Ref. 22/01378/VARM.

- 2.6 LPA Ref. 22/01378/VARM seeks to vary the reserved matters consent under LPA Ref. 21/00472/RMM, pursuant to the 2017 outline consent (17/00757/ESO), for the *“Reserved matters of Appearance, Landscaping, Layout & Scale for 360 dwellings, along with associated internal roads, car and cycle parking, public open space, sustainable urban drainage and ancilliary infrastructure for Phases 1,2 (in part) and 4 pursuant to previously approved 17/00757/ESO as varied by 17/00757/NMAA)”*.

- 2.7 The determination of LPA Ref. 22/01378/VARM (reserved matters) is dependent upon the determination of LPA Ref. 22/01045/VARM (outline) under consideration within this report, and it is therefore intended that both applications be considered at the same planning committee given their interrelationship.

- 2.8 The application has been referred to Planning Committee for determination given that it concerns an outline application for over 50 dwellings, and on the basis that the previous application within the site has been determined via the Planning Committee. It is also considered to be necessary given that the proposed amendments concern a matter members previously raised concern over, this being bus provision within the development site. The implications of the proposed development is also considered to have a wider public interest, given the scale of development it concerns.

- 2.9 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

- 3.1 The following planning history is considered to be directly relevant to the application under consideration:

17/00757/ESO

Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Approved

31 January 2020

17/00757/NMAA

Non material amendment to previously approved 17/00757/ESO for Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Agreed

22 October 2020

17/00757/DISA

To discharge Condition 6 (Design Code) of decision dated 31 January 2020 for residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Condition Discharged

5 November 2020

17/00757/DISB

To discharge condition 21 (Strategic Surface Water Drainage Strategy) on decision 31.1.2020 for Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Conditions Discharged

11 January 2022

17/00757/DISC

To discharge Conditions 9 (CEMP) & 12 (DWMMP) of Phase 1 of decision 17/00757/ESO dated 31 January 2020 for Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Conditions Discharged

11 March 2022

17/00757/DISD

To discharge Condition 7 (Foul Water) and 8 (Tree Protection) of decision dated 31/1/20 for 17/00757/ESO Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Partially Discharged

27 March 2023

17/00757/DISE

To discharge Conditions 4 (Fire hydrants), 19 (Biodiversity) and 26 (Broadband scheme) of decision dated 31.01.2020 for 17/00757/ESO Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping

Partially Discharged

27 March 2023

21/00472/RMM

Reserved matters of Appearance, Landscaping, Layout & Scale for 360 dwellings, along with associated internal roads, car and cycle parking, public open space, sustainable urban drainage and ancillary infrastructure for Phases 1,2 (in part) and 4 pursuant to previously approved 17/00757/ESO as varied by 17/00757/NMAA)

Approved

17 January 2022

21/00472/DISA

To discharge Condition 8 (Energy & Sustainability), 11 (Sash Window Details), 19 (Hard Landscaping) and 20 (External Lighting) of decision 21/00472/RMM dated 17/1/2022 for Reserved matters of Appearance, Landscaping, Layout & Scale for 360 dwellings, along with associated internal roads, car and cycle parking, public open space, sustainable urban drainage and ancillary infrastructure for Phases 1,2 (in part) and 4 pursuant to previously approved 17/00757/ESO as varied by 17/00757/NMAA)

Conditions Discharged

27 March 2023

22/01378/VARM

Variation of Conditions 1 (approved plans), 5 (external surfaces), 6 (soft landscaping) and 18 (boundary treatments) of previously approved 21/00472/RMM for 360 dwellings, along with associated internal roads, car and cycle parking, public open space, sustainable urban drainage and ancillary infrastructure for Phases 1,2 (in part) and 4 pursuant to previously approved 17/00757/ESO as varied by 17/00757/NMAA

Pending Consideration

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located to the north of Grange Lane, previously comprising an open field, with the A10 to the west and the Highfield development to the east. The site was formerly a group of fields divided by a T shaped mature hedge and ditch. The southern boundary is relatively open, while the northern boundary has a line of semi-mature trees.
- 4.2 The site is now under construction, with a number of dwellings constructed along the site's Grange Lane frontage and within the internal spine road (Whitworth Way). A number of the dwellings on-site have also been sold and are now occupied, meaning the development is in breach of a prior to occupation planning condition imposed upon the original 17/00757/ESO consent. This concerns the failure to deliver the 2-metre (c.6.6 feet) footpath along the Grange Lane frontage adjoining the carriageway, before first occupation of the dwellings.
- 4.3 A shared foot/cycle path has however been constructed to the north of the ditch running along the site's frontage, although at the point of writing this report this path has not been connected to the existing pedestrian or cycle network further along Grange Lane to the east. Residents within the development are not therefore able to safely access Littleport or it's services on foot. The ditch itself is understood to be a highways ditch, insofar that whilst not owned by the Highways Authority, they have a right to discharge surface water into it from the Grange Lane carriageway.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Cambridgeshire Archaeology - 6 December 2022

States: "We have reviewed the above planning application and have no objection to the amendments and no further archaeological requirements for this development."

Environmental Health - 6 December 2022

States: "If Peter wishes to make any comments he will respond separately."

I have read the Covering Letter and Planning Statement and can advise that I have no comments to make at this time."

Natural England - 7 December 2022

States: "Thank you for your consultation on the above dated and received by Natural England on 05 December 2022."

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice. The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process."

Local Highways Authority - 7 December 2022

States: "The comments made on the application 22/01378/VARM are also applicable to this application. For convenience the relevant comments are repeated below. I am unable to make an informed decision on this application based on the information submitted and cannot therefore determine if it is acceptable in highway terms."

When reviewing the proposals along Grange Lane, it is important to view the submission in context of the need for change. The applicant has entered into an Agreement with the County Council (the Local Highway Authority) under Section 278 of the Highways Act 1980. This agreement incorporates the widening of Grange Lane to facilitate the site access and provision of a 2m footway on the northern boundary of the carriageway. During construction, it became apparent that the presence of a newly cut ditch adjacent to the works (approx. 1.5m deep with side slopes around 1:1 gradient) would structurally undermine the footway and in absence of substantial structural retention of earthworks ¹ (e.g., sheet piling for circa 150m length) there is a risk that the footway would fail and in time could collapse into the ditch. As such, the applicant has been unwilling to construct the footway (although carriageway works are unaffected) and by extension is unable to discharge current planning conditions and unable to complete the S278 works.

Therefore, the applicant is applying for a variation to remove the 2m footway and instead retain a verge of the same width between carriageway and top of ditch. In order for me to meaningfully review this proposal from both highway safety and feasibility perspectives, I will need cross sections along the length of Grange Lane between the site access and the eastern boundary which show the 3m shared use path, the public open space, ditch, verge and carriageway in context of each other. I will also require details of the proposed fencing intended to protect against falls into the ditch.

A bus stop may be required along Grange Lane, as per prior consents. In absence of a footway, it is unclear how it can be safely accessed by pedestrians. If a bus stop is needed, then the applicant needs to show the location for the shelter / waiting area and the pedestrian access route.

So long as the 3m path is provided within the open spaces to an adoptable standard, then the absence of a 2m footway along Grange Lane is not objectionable in planning terms, however a footway would still be preferable as it helps to enforce lower speeds along Grange Lane by contributing to a more urban environment.²

It is however imperative that the path be constructed prior to first occupation of the site and I would insist that it be adopted by the LHA if it is to be the only pedestrian access route, as otherwise the only perpetually guaranteed safe means of access to the development from the public highway is by vehicle. For avoidance of doubt, the LHA will not adopt the ditch proposed between the 3m path and the Grange Lane carriageway.

In summary, I will require:

- o Cross-sections showing the highway works along Grange Lane, the ditch, public open space and shared use path.
- o Details of fencing between the 3m path and ditch to the north of Grange Lane.
- o Grange Lane bus stop details.

If the applicant is unwilling or unable to amend the application or provide additional information as outlined above, please advise me so I may consider making further recommendations, possibly of refusal.

While not directly related to planning, the drawing 7639-C-114-021 Rev P2 states that the 3m shared use path will be offered for adoption under a S38 Agreement. This arrangement isn't acceptable to the LHA and instead the S278 Agreement must be amended to include this path as there is no guarantee that adoption via the S38 process will be completed.

¹ Such a retaining feature may be technically feasible, but it would be financially burdensome to the applicant but also to the Local Highway Authority due to the associated perpetual maintenance obligations and costs.

² A Traffic Regulation Order has been approved to reduce speeds at this location from de-restricted (60mph) to 40mph past the access. While this is an enforceable limit, a footway can help contribute to a self-evident limit.”

Local Highways Authority - 7 February 2023

States: "The supplementary information prepared by the applicant is sufficient to address my previous comments. While the proposed treatment for Grange Lane is not ideal, it is safe and therefore not objectionable in planning terms.

However, the proposed 3m path must be dedicated as highway (as part of a varied S278 Agreement) as there is otherwise no means of safe pedestrian and cycle access to the development other than routes utilising third-party private land. While this is a matter to be agreed with the applicant and the Highway Authority post-planning, a condition should be appended to any permission stating that the works are to be carried out to an adoptable standard (standard condition HW3A) and another condition that the works are to be completed prior to the first occupation of the site.

The LPA should also be aware that the proposed arrangement as shown on the drawing 7639-C-114-001 Rev P13 will prohibit any future bus stop along the development frontage of Grange Lane. The impacts of this change should be discussed with the County's Transport Assessment team.

County Highways Transport Team – 9 March 2023

States: "The Highway Authority has the following comments to make on the discharge of conditions application for the above site. It is proposed that a bus enters the site from Grange Lane, then uses a private car park to turn around and exit the site back onto Grange Lane. We have discussed this arrangement with the bus operator, and they have raised concerns stating they would not enter the site due to the proposed turning facility. The turning facility is on private land which means the bus operator could be liable for any damage caused or maintenance, the bus would not have priority over cars wishing to park and therefore journey times could be affected by cars entering and exiting parking space and they raise safety concerns with regards to the interaction between the large buses and pedestrians in the car park. All of these concerns are shared by the Highway Authority and were this a brand new planning application proposing this arrangement, we would issue a recommendation of refusal. Given the above it appears this large residential development will not be served by bus, contrary to the aims and objectives of national and local policy. For the above reasons the Highway Authority are unable to support the discharge of conditions application. There does appear to be two solutions to this issue –

1 – provide a bus stop on Grange Lane fronting the site, this would enable a bus to stop or

2 – change the proposed turning arrangements from a private car park to adopted highway and relocate the private car park. This would address the bus operators concerns and a bus is likely to enter the development."

Historic England - 12 December 2022

States: "Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.”

Design Out Crime Officers - 12 December 2022

States: “Thank you for the opportunity to comment on this application. I have no objection to the variation of Condition 1 (approved plans).

I have no further comment at this stage.”

Housing Section - 21 December 2022

States: “Thank you for making the Strategic Housing Team aware of the variation to the above application. As this relates to amendments to the Footpath and Speed Limits we have no additional comments to make at this time.”

Lead Local Flood Authority - 3 January 2023

States: “Thank you for your consultation which we received on 5th December 2022. The application to vary condition 1, 24 and 25 of permission 17/00757/ESO does not appear to have any surface water flood risk or drainage implications to the proposed surface water drainage strategy. Therefore, we have no comments to make.

It should be noted that the proposals are to realign a watercourse within the site boundary and some permanent culverting works. This will require ordinary watercourse consent from the LLFA under Section 23 of the Land Drainage Act (1991).”

Waste Strategy (ECDC) - 11 January 2023

States: “Nothing to add from waste.”

Environmental Health - 31 January 2023

States: “I have no comments to make at this time.”

Natural England - 1 February 2023

States: “Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice. The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.”

Environment Agency - 8 February 2023

States: “Thank you for your email.

We have reviewed the information provided and have no comment to make on this application.

We did not recommend any conditions be attached to 17/00757/ESO.”

Lead Local Flood Authority - 14 February 2023

States: “Thank you for your re-consultation which we received on 31st February 2023.

As stated in our previous response, the application to vary condition 1, 24 and 25 of permission 17/00757/ESO does not appear to have any surface water flood risk or drainage implications to the proposed surface water drainage strategy. Therefore, we have no comments to make.

It should be noted that the proposals are to realign a watercourse within the site boundary and some permanent culverting works. This will require ordinary watercourse consent from the LLFA under Section 23 of the Land Drainage Act (1991).

Informatives

OW Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse->
www.cambridgeshire.gov.uk

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.”

Littleport Town Council - No Comments Received

Ward Councillors - No Comments Received

ECDC Trees Team - No Comments Received

Cambs Wildlife Trust - No Comments Received

Technical Officer Access - No Comments Received

Anglian Water Services Ltd - No Comments Received

Planning Casework Unit - No Comments Received

Sport England - No Comments Received

Cambridgeshire County Council Education - No Comments Received

Cambridgeshire Fire And Rescue Service - No Comments Received

Head Of Strategic Planning - No Comments Received

Dept of Social Services - No Comments Received

CCC Growth & Development - No Comments Received

Conservation Officer - No Comments Received

Strategic Planning - No Comments Received

Parks And Open Space - No Comments Received

Community & Leisure Services - No Comments Received

Economic Development - No Comments Received

Team Manager Health In All Policies (Public Health) - No Comments Received

Anglian Water Services Ltd - No Comments Received

The Ely Group Of Internal Drainage Board - No Comments Received

5.2 A site notice was displayed near the site on 5th January 2023 and a press advert was published in the Cambridge Evening News on 15 December 2022.

5.3 Neighbours – 186 neighbouring properties were notified. No responses were however received.

6.0 THE PLANNING POLICY CONTEXT

6.1 *East Cambridgeshire Local Plan 2015*

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 1	Location of retail and town centre uses
COM 2	Retail uses in town centres
COM 3	Retaining community facilities
COM 4	New community facilities
COM 5	Strategic green infrastructure

COM 7	Transport impact
COM 8	Parking provision
LIT 2	Housing allocation, Land West of Highfields

6.2 *Supplementary Planning Documents*

Design Guide
Cambridgeshire Flood and Water
Natural Environment
Climate Change

6.3 *National Planning Policy Framework 2021*

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 6 Building a strong competitive economy
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

6.4 *Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021*

6.5 *Planning Practice Guidance*

Technical Housing Standards - Nationally Described Space Standards (March 2015)

7.0 PLANNING COMMENTS

- 7.1 The application proposal represents a variation of an extant and implemented planning permission under LPA Ref. 17/00757/ESO. This report will therefore focus solely upon the changes proposed to the extant consent, and the planning considerations associated with these changes.
- 7.2 These planning considerations principally relate to the impact of the proposals upon pedestrian and cycle links; and the impact of bus provision to/within the site.
- 7.3 Other matters include the impacts of the amendments upon the design of the development proposal; the impact upon landscaping and ecology; and the impacts upon drainage. Fundamentally, however, consideration must be given as to whether the revisions to the development proposal still result in a high quality development proposal.
- 7.4 It is considered imperative to provide Members with a comprehensive summary of the planning context and decisions associated with the application site, that has led to the current application submission and conclusions reached within this report.

- 7.5 This summary therefore includes both the outline application and subsequent amendments and reserved matters application, and is set out chronologically as far as is reasonably practicable. The summary specifically focuses on matters relating to footpath and bus contribution/infrastructure provision, as these are considered to be the main planning considerations associated with this application.
- 7.6 Planning History and Background to the Application Proposals
- 7.7 *17/00757/ESO – Outline consent for up to 680 homes and associated infrastructure*
- 7.8 The application was originally presented to Members at the December 2017 Planning Committee, with a recommendation of approval by Senior Planning Officer Andrew Phillips. The application was nevertheless deferred by the Planning Committee so as to address the objections raised by the County Transport Team at the time. These objections specifically related to the provision of a bus contribution to support a bus enhancement and diversion through the development proposal, as well as other transport related contributions.
- 7.9 In their original Committee Report at Paragraph 7.14, the Senior Planning Officer acknowledged that the lack of a bus route through the development site weighed against the application proposals. Notwithstanding, the Senior Planning Officer advised that in their professional experience, it was very difficult to secure long-term viable bus diversions into new developments. The Local Highways Authority also advised that a bus route through the adjoining Highfields development could not be relied upon, and therefore any bus route provided within the development site would have to enter and exit by the same route, making this a less practical or favourable option for bus operators.
- 7.10 Notwithstanding, whilst the Senior Planning Officer had found the development to be acceptable without the provision of a bus route through the development site, in the interests of overcoming the County Council's objections to secure an approval, the Applicant at the time agreed to provide a 2-year bus contribution to allow for the bus route diversion through the site. It was on this basis that the Planning Committee voted to approve the proposed development at the 7th February 2018 committee, subject to the completion of the S106 legal agreement.
- 7.11 The bus contribution is secured at Schedule 6 of the signed S106 legal agreement, as are the other transport related contributions.
- 7.12 Condition 24 - The outline application was also approved subject to a condition (Condition 24) which required the provision of the approved access onto Grange Lane and footpath along Grange Lane to be provided prior to first occupation. Members are advised that the development is currently in breach of this condition, as there is now occupation within the development site. The applicant was advised in 2022 the risks of going into breach of condition. However, it chose to sell dwellings and place occupants at risk with no safe pedestrian access to the services and facilities of Littleport.
- 7.13 Condition 25 - Condition 25 was also imposed upon the outline consent which required the speed limits along Grange Lane to be formally changed (from 60mph to 30mph/40mph) prior to first occupation. This has been implemented, although

Members are advised that the Traffic Regulation Order (TRO) issued by the Local Highways Authority consenting this reduction in speeds was based upon the provision of a footpath along Grange Lane, which is no longer being provided.

- 7.14 *17/00757/NMAA – Non-Material Amendment to the Approved Site Access Width*
- 7.15 Agreed by the Local Planning Authority on the 22nd October 2020 to increase the width of the approved access secured under the outline consent from 6 metres (c.19.7 feet) to 6.2 metres (c.20.3 feet) in width. This was on the expectation that buses would now be expected to enter the development site, and the enlarged width would allow two buses to pass.
- 7.16 *17/00757/DISA - Preparation and Agreement of a Design Code*
- 7.17 The 2017 outline application was approved subject to a number of conditions, including at Condition 6 the preparation of a Design Code to support future reserved matters submissions.
- 7.18 The Design Code is set out so as to provide ‘mandatory’ and ‘advisory’ elements, as well as ‘golden rules’ to provide certainty for the future developer, the Local Planning Authority and the community as to the expectations of future development within the site. The Code also allows for a degree of flexibility, within pre-agreed limits. The Design Code was adopted after significant consultation, including with the Local Highways Authority and County Transport Team.
- 7.19 As part of the Design Code and the agreed regulating plan forming part of the Code, the alignment and extent of Millfield Avenue internal spine road (now Whitworth Way) is a mandatory element of future reserved matter submissions. This is because of its function as the main bus route into and out of the development site.
- 7.20 The regulating plan also indicates the provision of a ‘bus loop’ turning arrangement within the car park of the Community Hub/centre (Page 12 of the Code). Following concerns raised by the County Highways Transport Team, a back-up bus stop was also indicatively indicated along Grange Lane (also Page 12).
- 7.21 The Design Code further sets out mandatory elements concerning planting, the provision of footpaths and cycle links, amongst other matters. The specific requirements of the Design Code will be addressed where relevant within this report, but Members are advised that fundamentally, the Code underpins the already-approved and any future reserved matters submissions. Any reserved matters submission must demonstrate how it complies with the approved Design Code.
- 7.22 *21/00472/RMM - Reserved Matters for Phases 1 and 2 pursuant to LPA Ref. 17/00757/ESO (and 17/00757/NMAA)*
- 7.23 Application approved by the Local Planning Authority on the 17th January 2022. During the course of the application consideration, the Local Highways Authority confirmed that the bus turning loop within the Community Hub car park was a technically achievable option, subject to further design details being provided at the necessary stage.

- 7.24 Condition 15 imposed upon the consent therefore requires that, prior to the occupation of the 300th dwelling, a scheme or reserved matters submission shall be submitted to and approved in writing by the Local Planning Authority showing how a bus will turn within the car park to the community centre. This was to ensure that the development proposal facilitated the diversion of the bus route through the development site, as intended by the financial contribution set out within the agreed S106 legal agreement (Schedule 6).
- 7.25 *Commencement On-Site, Hedge Removal and Investigations into the Ditch*
- 7.26 Whilst construction on site commenced in February 2022, works on the approved footpath along Grange Lane did not commence until August 2022 given delays with road space booking and the school holidays.
- 7.27 During an inspection of the ditch running along Grange Lane to the front of the development site, concerns over the long-term stability of the proposed 2-metre (c.6.6 feet) footway were raised by groundworkers on-site and an Inspector from the Local Highways Authority. This was on the basis of the widened carriageway and re-aligned ditch having already compromised its stability.
- 7.28 Members are advised that the provision of the footpath along Grange Lane is considered to be physically feasible, as set out within the Local Highway Authority comments on the 7th December 2022.
- 7.29 However, the Applicant sets out at Section 4 of their supporting Planning Statement that *“Any further realignment or reinforcement of the ditch would result in costly and timely engineering works. Any retaining structure would be unfavourable to both the applicant and the LHA due to costs, delays and ongoing maintenance costs/liability risk for the LHA and future management complexities.”* The Applicant also makes clear that other alternative options have been considered and found also to be impractical or costly.
- 7.30 As an alternative solution, a 3-metre (c.9.9 feet) shared footway/cycleway has been put forwards by the Applicant, to be located to the north of the ditch. A shared path to the north of the ditch was approved under the reserved matters consent (LPA Ref. 21/00472/RMM), but the Applicant proposes that this shared pathway is enhanced to adoptable standards so as to provide the main pedestrian and cycle access and route along Grange Lane. This shared path has been constructed on-site, albeit not at its full width all of the way and not currently connected to the existing pedestrian/cycle networks within Littleport.
- 7.31 Members are advised that the hedge along Grange Lane was removed to facilitate the creation of the footpath, as consented as part of the outline approval. Notwithstanding, this footpath is no longer intended to be provided.

8.0 ASSESSMENT OF THE DEVELOPMENT PROPOSAL

- 8.1 Members are advised that the outline application under LPA Ref. 17/00757/ESO only considered access, which included footpath provision. All other matters of layout, scale, appearance and landscaping were considered under the subsequent

reserved matters application. Notwithstanding, the above history is relevant to provide context to the following discussion and conclusions.

8.2 Highways and Access

- 8.3 Policy COM 7 of the East Cambridgeshire District Council Local Plan 2015 states that “Development should be designed to reduce the need to travel, particularly by car, and should promote sustainable forms of transport appropriate to its particular location. Opportunities should be maximised for increased permeability and connectivity to existing networks.” The policy further emphasises that this shall include the provision of safe and convenient access to the highway network, as well as providing a comprehensive network of routes giving priority for walking and cycling.
- 8.4 Policy LIT 2 comprises a housing allocation policy, which covers approximately half of the application site. The policy specifically requires that any future development under this policy should “Contribute towards the provision of a pedestrian and cycle route on Grange Lane, between the A10 roundabout and Highfields mini roundabout.”
- 8.5 Chapter 9 of the National Planning Policy Framework (NPPF) sets out national objectives regarding the provision of sustainable modes of transport. Paragraph 110 specifically advises that in assessing development proposals, it should be ensured that “appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users”.
- 8.6 Paragraph 112 of the NPPF importantly sets out that, “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 8.7 Within this context, the NPPF further sets out that “applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

Footpath Along Grange Lane

- 8.8 The amendments put forward seek to remove the footpath along Grange Lane directly adjoining the carriageway in favour of a shared foot/cycle path set further back into the site.
- 8.9 In their formal consultation comments, the Local Highways Authority do not raise any significant highway safety objections to the proposal. Notwithstanding, this is on the basis that the alternative shared path is constructed to an adoptable standard so as to be formally adopted by the Local Highways Authority. Their comments were also on the basis that appropriate boundary treatments were installed alongside the edge of the ditch to ensure pedestrians and cyclists were protected against falls into the ditch. These measures are to ensure a safe pedestrian and cycle access to and from the development.
- 8.10 If constructed to adoptable standards and formally adopted by the Local Highways Authority, it is considered that the provision of the alternative shared path to the north of the ditch would provide an acceptable pedestrian and cycle access to the development site. The alternative path would deliver upon the objectives of Policies COM 7 and LIT 2 and Chapter 9 of the NPPF in providing a safe and accessible pedestrian and cycle access to the development, that encourages alternative non-car modes of transport.
- 8.11 On this basis, the omission of the approved footpath along Grange Lane is therefore only considered to be acceptable if the alternative path proposed is constructed to adoptable standards, and formally adopted by the Local Highways Authority. This can be secured appropriately via a planning condition.
- 8.12 Members are nevertheless advised that in its current as-built form at the time of writing this report, the shared path provided has not been constructed to adoptable standards, nor fully constructed in its entirety. This is given it's inconsistent width towards the main vehicular entrance to the development. The requested boundary treatments along the edge of the ditch have also not been provided to protect pedestrians and cyclists from falling into the ditch. The Local Highways Authority are also unable to formally sign off the footpath from a technical perspective without formal planning consent being provided by the Local Planning Authority.
- 8.13 At the time of writing this report, the shared path is not therefore considered to provide an acceptable or safe means of pedestrian or cycle access to the development site. This is particular concern given that the applicant has willingly sold and allowed dwellings within the development site to be occupied in the absence of this fundamental infrastructure. At the time of writing this report, three dwellings are understood to be occupied within the development site.
- 8.14 The occupation of the site therefore significantly limits the Local Planning Authority's condition triggers that it is able to employ. As such it is proposed that a condition is imposed upon any consent granted that requires the applicant to deliver the full footpath within prior to occupation of no more than six dwellings within the

development site. This is on the basis that up to six dwellings is the usually accepted maximum amount of development to be served by a private unadopted drive, before footpaths and supporting infrastructure is required to be provided.

8.15 This restriction has been informed on the basis of discussions held with the Applicant and the Local Highways Authority as to the estimated timeframe for the shared footpath works to take place. The Local Planning Authority have been advised that the current timeframe of works for the footpath is October 2023, due to restrictions upon road space bookings with the Local Highways Authority. This is a significant period of time, and it is not considered acceptable to allow continued occupation of the development site in the absence of this fundamental infrastructure, due to significant concerns in regard to highway safety. The need for a maximum occupation condition is therefore considered to be imperative as set out above.

8.16 *Bus Diversion and Service Provision*

8.17 At the outline planning stage under LPA Ref. 17/00757/ESO, a bus contribution was secured via the S106 legal agreement. This was to support the diversion of the existing bus route through the development proposal for a period of 2-years only.

8.18 The concerns of the County Highways Transport Team are acknowledged regarding bus stop provision. It is accepted that the removal of the footpath along Grange Lane as proposed removes the opportunity for a bus stop along Grange Lane.

8.19 However, this matter was not for consideration under the original outline application. Detailed bus stop and bus infrastructure was a later consideration within the approved Design Code, and the subsequent reserved matters application was approved on the basis of its compliance with this Code. This matter is not therefore for consideration under this application but the reserved matters variation (22/01378/VARM). It is therefore considered unreasonable to raise this as a reason for refusal at this outline stage. The absence of the footpath along Grange Lane does also not directly impact upon the bus contribution secured within the S106 legal agreement.

8.20 For the above reasons, the proposed development is considered to be acceptable and in accordance with Policies COM 7 and LIT 2 of the ECDC Local Plan 2015 and the NPPF.

8.21 Other Material Matters

8.22 *Character and Appearance* – the proposed shared path would be set back from the main carriageway, and would therefore be less visually prominent than the as-approved footpath along Grange Lane. The proposed shared path and associated post and rail fencing are expected urbanising features of major development proposals, and it is considered that with appropriate landscaping under the reserved matters application, the proposed shared path can be suitably assimilated within the development proposal. The proposed path is therefore considered to result in acceptable visual amenity and landscape impacts and would not conflict with the objectives of Policies ENV 1 and ENV 2 of the ECDC Local Plan 2015 or the NPPF.

- 8.23 *Landscaping and Ecology* – to facilitate the approved footpath and highway works agreed under the original outline consent, the existing hedge along the Grange Lane site frontage was consented to be removed.
- 8.24 It is acknowledged that the footpath is no longer being provided, but it is considered that the removal of the hedge was necessary in the interests of delivering the remaining highway works as approved. On this basis, its loss is considered to be justified, subject to a replacement planting scheme being secured via the reserved matters application(s) pursuant to the outline consent.
- 8.25 The Trees Officer and the Cambridgeshire Wildlife Trust have not raised any concerns with the proposal.
- 8.26 On this basis, it is considered that the proposals comply with the objectives of Policies ENV 1, ENV 2, ENV 7 of the ECDC Local Plan 2015, the Natural Environment SPD and the NPPF.
- 8.27 *Drainage and Flooding* – the ditch across the front of the application site is to be retained following its re-alignment. The Lead Local Flood Authority and the Environment Agency have not raised any objections to the proposed development. No objections have also been received from the Internal Drainage Board for the area.
- 8.28 The proposed development is not therefore considered to conflict with the objectives of Policy ENV 8 of the ECDC Local Plan 2015 or the NPPF.
- 8.29 Planning Balance
- 8.30 On the basis of the conclusions reached within this report, the proposed development is still considered to support the delivery of high quality development proposal. The removal and re-provision of an alternative adopted shared path along Grange Lane does not jeopardise the ability for the scheme to deliver a safe and accessible pedestrian and cycle link, nor does it directly prevent the ability of the site to accommodate a diverted bus route within the development site itself.
- 8.31 The proposed development is therefore considered to be acceptable in accordance with the policies contained within the East Cambridgeshire District Local Plan 2015 and within the National Planning Policy Framework.

9.0 COSTS

- 9.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 9.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

9.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

9.4 In this case members' attention is particularly drawn to the following points:

- That the Local Highways Authority do not raise objections to the development proposals. Specifically, there are no highway safety concerns over the provision of the proposed footpath, subject to it being adopted by the Local Highways Authority. Given that the main consideration under this outline application is one of access (including footpath provision), the comments of the Local Highway Authority should be afforded notable weight in the consideration of this application as the technical experts.

10.0 **APPENDICES**

Appendix 1: Draft Conditions List

Background Documents

22/01045/VARM

17/00757/ESO
17/00757/NMAA
17/00757/DISA
17/00757/DISB
17/00757/DISC
17/00757/DISD
17/00757/DISE
21/00472/RMM
21/00472/DISA
22/01378/VARM

National Planning Policy Framework -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -
<http://www.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

Appendix 1 – Draft Conditions List

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
40562/010	A	1st June 2018
7639-C-114-001 P13		21st March 2023
PRELIMINARY ECOLOGICAL APPRAISAL		27th April 2017
40562/001		27th April 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") for each phase or parcel shall be obtained from the Local Planning Authority in writing before any development on that phase or parcel is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 5 years of the date of the original consent under LPA Ref. 17/00757/ESO (31 January 2020).
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 Excluding the sections of Phases 1, 2 and 4 (as defined by Phasing Plan 40562/010 Rev A) for which a fire hydrant strategy has already been agreed under LPA Ref. 17/00757/DISE, no above ground construction shall commence on the relevant phase until a scheme for the provision of fire hydrants on that phase has been submitted to and approved in writing by the Local Planning Authority. Development on the relevant phase shall commence in accordance with the approved details prior to first occupation on that phase.
- 4 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 5 The approved fire hydrant strategy shown on Drawing Ref. 10634812 REV B within the sections of Phases 1, 2 and 4 (as defined by Phasing Plan 40562/010 Rev A) agreed under LPA Ref. 17/00757/DISE shall be carried out within the relevant phases in accordance with the approved details within a period of one month from the date of this decision.
- 5 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.

- 6 The highway(s) on each relevant phase shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied on that given phase.
- 6 Reason: To ensure that the highways end appearance is acceptable and to prevent the roads being left in a poor/unstable state, in accordance with policies COM7 and ENV2 of the East Cambridgeshire adopted Local Plan April 2015.
- 7 Each Reserved Matters submission will need to demonstrate on submission how it complies with the adopted Design Code (dated October 2020) as agreed under LPA Ref. 17/00757/DISA.
- 7 Reason: In order to ensure that this major development provides a high quality development to Littleport in accordance with the agreed vision for the site as a whole in accordance with Policy ENV2 of the East Cambridgeshire Local Plan Adopted April 2015.
- 8 Within a period of three months from the determination of this application, a scheme for on-site foul water drainage works, including connection point and discharge rate and a phasing plan (including timeframe for completion of works) shall be submitted to and approved in writing by the Local Planning Authority. The foul water drainage works relating to each specific phase must have been carried out in complete accordance with the approved scheme.
- 8 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. This condition should be considered as a Grampian Condition as off site works might be required.
- 9 The tree protection measures as approved under LPA Ref. 17/00757/DISC (Drawing Refs. 'Tree Protection Details (East)' and 'Tree Protection Details (West)' shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 9 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD.
- 10 The Construction Environmental Management Plan (CEMP) Revision B as approved under LPA Ref. 17/00757/DISC shall be adhered to at all times during all phases.

Each Reserved Matters application shall demonstrate how it complies with the site wide CEMP and thereafter comply with the agreed details.

- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 11 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 12 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours 07:30 - 18:00 each day Monday-Friday, 07:30 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and Policy LP26 of the Submitted Local Plan 2017.
- 13 The agreed 'Site Waste Management Plan' (SWMP) as agreed under LPA Ref. 17/00757/DISC shall be implemented in accordance with the agreed details and adhered to at all times during all phases, unless otherwise agreed in writing by the Local Planning Authority.
- 13 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with Policy 14 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan July 2021 and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014.
- 14 No more than 225 square metres of retail (Class E(a – c) floorspace, public house (sui generis) floorspace or take-away (sui generis) floorspace shall be submitted under the reserved matters applications within Phase 2 (as identified under drawing number 40562/010A).
- 14 Reason: The application has been submitted and considered on this basis.
- 15 Any dwelling identified as a live and/or work unit shall have a ceiling height on all floors/rooms greater than 2 metres and can have up to 36 square metres each as Use Class E(a) or Class E(g)(i). For avoidance of doubt these dwelling units can be used entirely for C3 Use Class.
- 15 Reason: The application has been submitted and considered on this basis.

- 16 Any dwelling that includes five bedrooms or higher shall include space for (a non-self contained) annexe and shall be built to Lifetime Homes standard or equivalent.
- 16 Reason: In order to ensure that the development provides easily adaptable space for those that are disabled, elderly or young adults awaiting to get on the property ladder as required by Policy HOU1 of the East Cambridgeshire Local Plan Adopted April 2015.
- 17 Prior to or with the submission of each reserved matters application relating to phase 2 (defined by drawing number 40562/10 Rev A) a noise report shall be submitted to demonstrate how Government & World Health Organisation guidelines will be met. It will also need to demonstrate how a design led approach has been undertaken in order to minimise noise disturbance. Development shall be carried out in accordance with the approved details.
- 17 Reason: To safeguard the residential amenity of neighbouring/future occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 18 No trees shall be pruned or removed/felled and no hedges shall be removed without the prior written approval of the Local Planning Authority as part of each reserved matters application.
- 18 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD.
- 19 All development shall commence in accordance with the mitigation measures covered within the Preliminary Ecological Appraisal dated February 2017.
- 19 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD.
- 20 Excluding the sections of Phases 1, 2 and 4 (as defined by Phasing Plan 40562/010 Rev A) for which biodiversity enhancement details have already been agreed under LPA Ref. 17/00757/DISE, prior to occupation of each phase/reserved matters a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development within the relevant phase and thereafter maintained in perpetuity.
- 20 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and policy LP30 of the Submitted Local Plan 2017.
- 21 The approved biodiversity enhancement scheme within the sections of Phases 1, 2 and 4 (as defined by Phasing Plan 40562/010 Rev A) agreed under LPA Ref. 17/00757/DISE shall be carried out within the relevant phases in accordance with the following approved details within a period of 3 months from the date of this decision.

- 21 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and policy LP30 of the Submitted Local Plan 2017.
- 22 Prior to or as part of each reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 22 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and policy LP24 of the Submitted Local Plan 2017.
- 23 The hereby approved development shall at all times and across all phases be implemented in accordance with the approved strategic surface water drainage strategy for the site, as agreed under LPA Ref. 17/00757/DISB, and set out within the following documents and plans:
- Foul and Surface Water Drainage Strategy, Barter Hill Partnership Limited, Ref: 7639 Rev V.04, Dated: August 2021
 - Preliminary Drainage Strategy, Barter Hill Partnership Limited, Ref: 7639-C-105 Rev A, Dated: 11 August 2021
 - Existing Runoff Rates, JPP Consulting, Ref: R-FRA-U8100PM-01-B, Dated: April 2017
 - Drainage Strategy Layout Sheet 1 of 3, Barter Hill Partnership Limited, Ref: 7639-C-100-01 Rev P2, Dated: 14 April 2021
 - Drainage Strategy Layout Sheet 2 of 3, Barter Hill Partnership Limited, Ref: 7639-C-100-02 Rev P1, Dated: 22 September 2021
 - Drainage Strategy Layout Sheet 3 of 3, Barter Hill Partnership Limited, Ref: 7639-C-100-03 Rev P2, Dated: 14 April 2021
 - Surface Water Calculations, Barter Hill Partnership Limited, Dated: 14 July 2021
 - Impermeable Area Plan, Barter Hill Partnership Limited, Ref: 7639-C-106 Rev P2, Dated: 14 April 2021
 - Exceedance Flow Plan Sheet 1 of 3, Barter Hill Partnership Limited, Ref: 7639-C-101-01 Rev P1, Dated: 23 September 2020
 - Exceedance Flow Plan Sheet 2 of 3, Barter Hill Partnership Limited, Ref: 7639-C-101-02 Rev P1, Dated: 23 September 2020
 - Exceedance Flow Plan Sheet 3 of 3, barter Hill Partnership Limited, Ref: 7639-C-101-03 Rev P1, Dated: 23 September 2020
- 23 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and the Flood and Water SPD.
- 24 Any reserved matters application shall include a detailed surface water scheme pursuant to the reserved matters site for which approval is sought. The scheme shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved details of the strategic site wide surface water strategy. The strategy shall be based upon a SUDS hierarchy, as espoused by the publication 'The SuDS Manual CIRIA C753'. The scheme shall

maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.

The strategy shall include details of all flow control system and the design, location and capacity of all strategic SuDS features. The strategy should also demonstrate that the exceedance of the designed system has been considered through the provision of overland flow routes.

The development shall be carried out in full accordance with the approved details and no building pursuant to that particular reserved matters site for which approval is being sought shall be occupied or used until such time as the approved detailed surface water measures have been fully completed in accordance with the approved details.

- 24 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 the Flood and Water SPD.
- 25 The development is strictly up to 680 dwellings (C3 Use Class) or 613 dwellings (C3) and 64 residential units (C2 Use Class).
- 25 Reason: The application has been assessed and determined on this basis. The reserved matters will need to demonstrate through a design led approach that the total number of dwellings is acceptable in planning terms.
- 26 No more than six dwellings within the site shall be occupied until the access onto Grange Lane and the footpath along Grange Lane have been constructed to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) in accordance with Drawing Ref. 7639-C-114-001 P13.
- 26 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition as some of the required works are within the control of the Local Highways Authority.
- 27 The speed limits along Grange Lane shall be retained in accordance with drawing number 7639-C-114-001 P13.
- 27 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition as the required works are within the control of the Local Highways Authority.
- 28 Excluding the sections of Phases 1, 2 and 4 (as defined by Phasing Plan 40562/010 Rev A) for which a broadband strategy has already been agreed under LPA Ref. 17/00757/DISE, prior to first occupation of any given phase (defined by reserved matters submissions) a scheme for the provision of broadband shall be submitted to and agreed in writing with the Local Planning Authority. Development shall commence in accordance with the agreed details prior to first occupation.

- 28 Reason: In order to provide superfast broadband to the future occupants (including working from home) in accordance with paragraph 43 of the National Planning Policy Framework and Policy GROWTH 3 of the East Cambridgeshire Local Plan 2015.
- 29 The approved broadband strategy as shown on Drawing Refs. LFK/00G and LFK/00H within the sections of Phases 1, 2 and 4 (as defined by Phasing Plan 40562/010 Rev A) agreed under LPA Ref. 17/00757/DISE shall be carried out within the relevant phases in accordance with the approved details within a period of 6 months from the date of this decision.
- 29 Reason: In order to provide superfast broadband to the future occupants (including working from home) in accordance with paragraph 43 of the National Planning Policy Framework and Policy GROWTH 3 of the East Cambridgeshire Local Plan 2015.