

22/01378/VARM

Land Parcel North And West Of Millfield Primary School

Grange Lane

Littleport

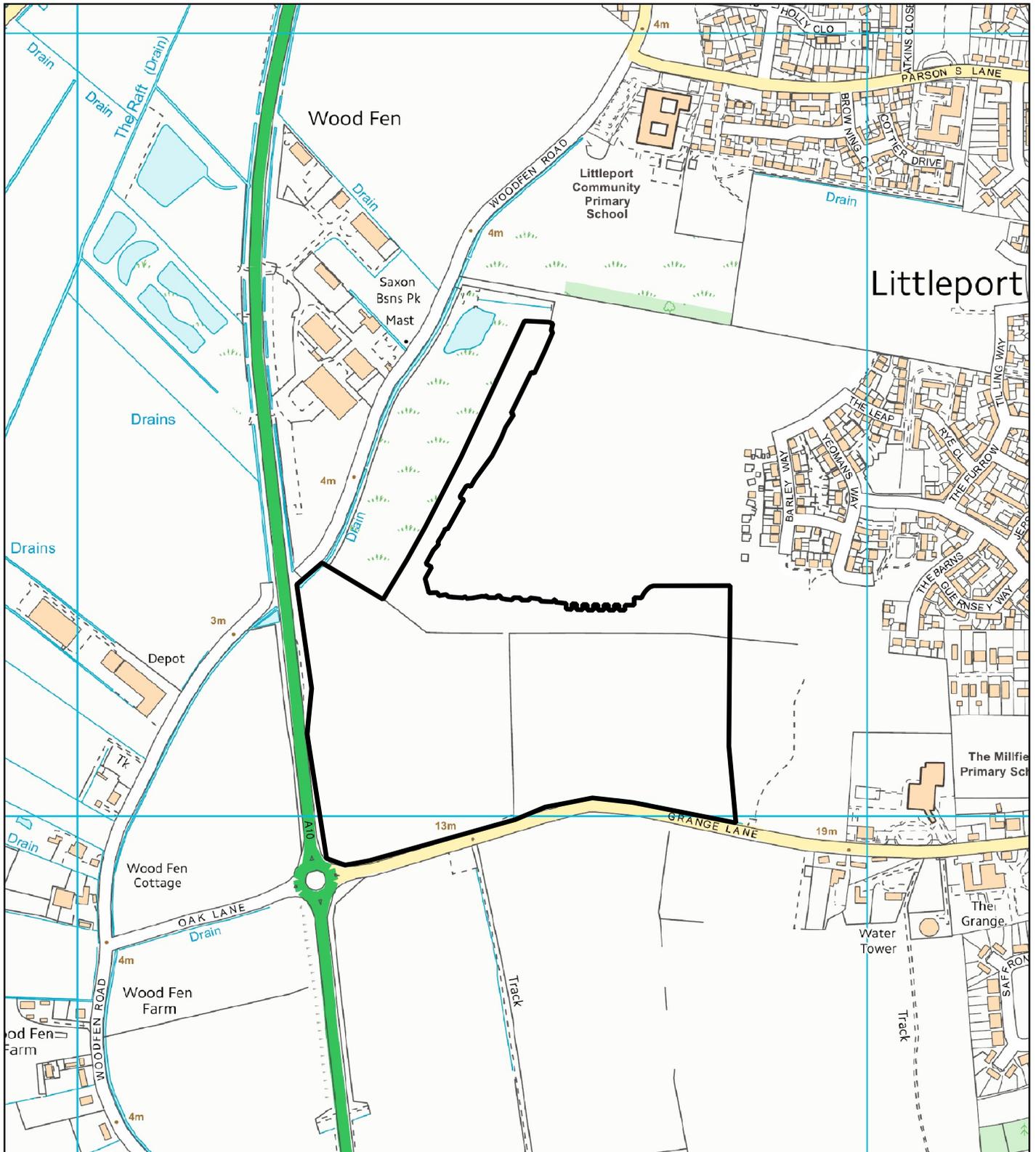
Cambridgeshire

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 ancilliary infrastructure for Phases 1,2 (in part) and 4 pursuant to previously approved 17/00757/ESO as varied by 17/00757/NMAA

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=RLR9JGGGG1W00>





22/01378/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: 22/01378/VARM

Committee: Planning Committee

Date: 5 April 2023

Author: Senior Planning Officer

Report No: X191

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

Proposal: 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 ancilliary infrastructure for Phases 1,2 (in part) and 4 pursuant to previously approved 17/00757/ESO as varied by 17/00757/NMAA

Applicant: Littleport Developments LLP

Parish: Littleport

Ward: Littleport

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

Date Received: 22 November 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. Fruit trees restriction

3. Materials for Plots 337-360
4. External materials (all other plots)
5. Temporary marketing suites
6. Soft landscaping
7. Surface water drainage strategy
8. Energy and sustainability statement
9. EV charging points (garages)
10. Binder course for roads, footpaths etc
11. Sash windows for affected plots
12. Chimneys for affected plots
13. Permitted Development removal for gates (accesses)
14. Visibility splays
15. Bus turning provision (internal)
16. Ceiling heights and Class E use for affected plots
17. Shed provision
18. Boundary treatments
19. Boundary treatments (ditch)
20. Hard landscaping
21. External lighting strategy
22. Permitted Development removal gates (private drives)

2.0 SUMMARY OF APPLICATION

- 2.1 The application proposals seek consent to vary the approved plans, landscaping details, external material details and boundary treatment details as approved under the reserved matters consent LPA Ref. 22/00472/RMM 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 ancilliary infrastructure for Phases 1,2 (in part) and 4 pursuant to previously approved 17/00757/ESO as varied by 17/00757/NMAA.”*
- 2.2 Specifically, the proposals seek the following minor material amendments to the approved reserved matters scheme:
- Update the approved plans to reflect the omission of the frontage footpath along Grange Lane (as proposed under LPA Ref. 22/01045/VARM linked to this application).
 - Revised soft landscaping along the Grange Lane frontage following removal of the footpath from the proposals;
 - Slight relocation of proposed street trees to avoid clashes with private and adoptable drainage pipes and adoptable street lighting columns;
 - Removal of 6no. unallocated visitor parking spaces along the northern boundary of the Public Open Space (POS) LAP C area within the eastern section of the site;
 - Slight increase in foul water pumping station and relocation of access point, with the north-west POS 2m footpath realigned;

- Plot 1 and 169 garages amended to add a temporary section to facilitate Linden and Bovis marketing suites;
- Slight adjustments to western boundary fencing line along plot 50, plot 59, plot 344, plot 345 to ensure this follows the estate boundary title plan;
- Updates to details on external road surfaces to match S38 Technical Approval from the Local Highway Authority;
- Material Plan updated to propose alternative to Red Brick 2 due to supply and build quality issues.

Linked Application LPA Ref. 22/01045/VARM

- 2.3 Members are advised that the current reserved matters variation application under consideration within this report (LPA Ref. 22/01378/VARM) is directly linked to the currently pending outline variation application LPA Ref. 22/01045/VARM.
- 2.4 LPA Ref. 22/01045/VARM seeks to vary the outline consent under LPA Ref. 17/00757/ESO, for the *“Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping*
- 2.5 The determination of LPA Ref. 22/01378/VARM (reserved matters) under consideration within this report is dependent upon the determination of LPA Ref. 22/01045/VARM (outline), and it is therefore intended that both applications be considered at the same planning committee given their interrelationship.
- 2.6 The application has been referred to Planning Committee for determination given that it concerns a reserved matters 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.
- 2.7 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:

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 ancilliary 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

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 Discharge

27 March 2023

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

22/01045/VARM

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

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.

Historic England - 29 November 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 would therefore suggest that you seek the views of your specialist conservation and archaeological advisers and other consultees. 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."

Environmental Health - 30 November 2022

States: "Thank you for consulting us on the above application.

I have read the Cover Letter and have no comments to make at this time."

Housing Section - 2 December 2022

States: "Thank you for advising the Strategic Housing Team of the above application. We have reviewed and have no additional comments to make in respect to the variations submitted."

Local Highways Authority - 5 December 2022

States: "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 earthworks¹ (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. An indicative bus stop location is shown along Grange Lane. 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. The varied access to the pumping station in the north-west of the site is not accepted as it is not in line with the turning head. Servicing vehicles, due to the skewed approach alignment, are likely to cross over unmade verge or bin stores if unused at the time. 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.
- o Amended pumping station access.

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.

As access was approved under the application 17/00757/ESO (later varied by 17/00757/NMAA) and explicitly showed a 2m footway alongside Grange Lane, I would have assumed that the removal of the footway would require a Section 73 application related to the outline consent instead of / as well as the reserved matters consent. This is a matter for the LPA to consider, but the applicant needs to be aware that the LHA will not enter into a S278 Agreement for the offsite highway works until all necessary planning permission has been secured.

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 - 8 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: "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."

Cambridgeshire & Peterborough Integrated Care System (NHS) - 5 December 2022

States: "1. I refer to your recent consultation letter on the above planning application and advise that, following a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of Cambridgeshire and Peterborough Integrated Care System (CAPICS).

Background

2. The proposal comprises a development of approximately 360 residential dwellings, which is likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The ICS would therefore expect these

impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

Review of Planning Application

3. There is 1 x GP practice within a 2km radius of the proposed development, St Georges Medical Centre. This practice does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact. Healthcare Needs Arising From the Proposed Development

Health & Wellbeing Statement

As an Integrated Care System it is our ambition that every one of the one million people living in Cambridgeshire and Peterborough is able to live as healthy a life as possible and has access to the help and treatment that they need in the right place, with good outcomes and experience of the care they receive.

Cambridgeshire and Peterborough Integrated Care System, recognises and supports the role of planning to create healthy, inclusive communities and reduce health inequalities whilst supporting local strategies to improve health, social and cultural wellbeing for all aligned to the guidance in the NPPF section 91.

The way health and care is being delivered is evolving, partly due to advances in digital technology and workforce challenges. Infrastructure changes. Therefore, CIL funds received as a result of this development may incorporate not only extensions, refurbishments, reconfigurations or new buildings but will also look to address workforce issues, allow for future digital innovations and support initiatives that prevent poor health or improve health and wellbeing.

The NHS Long term plan requires a move to increase investment in the wider health and care system and support reducing health inequalities in the population. This includes investment in primary medical, community health services, the voluntary and community sector and services provided by local authorities so to boost out of hospital care and dissolve the historic divide between primary and community health services. As such, a move to health hubs incorporating health and wellbeing teams delivering a number of primary and secondary care services including mental health professionals, are being developed. The Acute hospitals will be focussing on providing specialist treatments and will need to expand these services to cope with additional growth. Any services which do not need to be delivered in an acute setting will look to be delivered

in the community, closer to people's homes. The health impact assessment (HIA) submitted with the planning application will be used to assess the application. This HIA will be cross-referenced with local health evidence/needs assessments and commissioners/providers own strategies so to ensure that the proposal impacts positively on

health and wellbeing whilst any unintended consequences arising are suitably mitigated against.

The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1.

Table 1: Summary of capacity position for healthcare services closest to the proposed development.

Premises Weighted

List Size ¹

NIA (m²)² Capacity

Spare
Capacity
(NIA m²)_ "4
St Georges Medical
Centre
13,008 739 10,777 Zero

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice.
3. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the East DCO) Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
4. Based on existing weighted list size.
4. This development is not of a size and nature that would attract a specific Section 106 planning obligation. However, the level of planned population growth in this area means that an increase in capacity is required for the local community and to meet the demand from the population growth. Therefore, a proportion of the required funding for the provision of increased capacity by way of a CIL contribution to a project at St Georges Medical Centre that will increase capacity (as mentioned above), would be sought from the CIL contributions collected by the District Council..
5. In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.
6. Assuming the above is considered in conjunction with the current application process, CAPICS would not wish to raise an objection to the proposed development. CAPICS look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter."

Design Out Crime Officers - 12 December 2022

States: "I have no objections to the variation of Conditions 1 (approved plans) and 18 (boundary treatments).

I have no further comment at this stage."

The Ely Group Of Internal Drainage Board - 19 December 2022

States: "This application for development is adjacent to the Board's Woodfen Catchwater Drain.

Under the Board's Byelaws, no planting or construction can take place within nine metres of a Main Drain without the prior consent of the Board. This is to ensure that the Board has access to maintain the watercourse and have scope to improve the capacity of the channel in the future. In this location, the minimum strip we would require to be left is seven metres.

It should be noted that the surface water design for the site has not been consented by the Board. All we have received is a consent application to construct a headwall in the catchwater. This does not cover the surface water discharge into our sites.”

Lead Local Flood Authority - 21 December 2022

States: “Thank you for your consultation which we received on 30th November 2022.

We have reviewed the following documents:

- o Variation of Condition Cover Letter, Vistry East Midlands, Dated: 11 November 2022

- o Full Site Layout Plan, McBains Ltd, Ref: LITT01 MCB ZZ ZZ DR A 0330 D5 P11, Dated: 11

November 2022

Based on these, as Lead Local Flood Authority (LLFA) we have no comment on the proposed variation of condition 1, 5, 6, and 18. It does not appear that the changes to the proposed site layout will have an impact on the drainage scheme outlined in application 17/00757/ESO. As such, our comments and requested conditions remain as outlined in our response ref: 201101570 (dated: 26 May 2017).”

Waste Strategy (ECDC) - 10 January 2023

States: “Reference: 21/00472/RMM

- o East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

- o I refer back to the previous comment on 21/00472/RMM : In all cases the one service all residents expect is the collection of waste, unfortunately this development appears to make excessive use of 'Bin Collection Points' on private driveways, these are not acceptable to the waste team where they are within the private road and should be moved to a point directly adjacent the adopted highways, we would also note that we have found that in other locations these places become untidy and are likely to lead to a poor street scene for residents as well as loose litter issues; the waste team would suggest the removal of all these and that the developers improve the turning and reversing points for refuse freighters as well as the improvement of the roadways leading to private driveways so that refuse vehicles can use them. Concerns remain regarding the street scene for plots such as 25 (but not limited to just this plot). The service road for these properties appears to remain unadopted, and so we would not be able to enter them to collect. However, on collection day, 7 bins and associated rubbish will be outside of their property. If there is no alternative to this, then purchasers of properties should be instructed in their lease / perhaps through a covenant that bins must not be stored in the collection points before 6pm the day before collection, and no later than 6pm on collection day, it would also be beneficial to highlight the collection points to those properties who directly front onto them.

- o In addition to this, the storage areas are not future proofed. The service is looking at providing black bins for rubbish to replace bags, and there would be no space for

this under the current plan and may mean obstructions on the adjacent footpath which isn't acceptable. If a bag collection service remains, the bags do not have space in the current plan either, other than being placed on top of the recycling bin. This is not practical - if the bin crew collect before the bag crew, the bags will be put on the floor - which could impact on the length of time to make collections when all areas are considered, as the bags will then have to be placed back on top of the bin after they have been emptied.”

Cambridgeshire Archaeology - 31 January 2023

States: “We have reviewed the new documents and can confirm we have no further recommendations or objections.”

Environmental Health - 31 January 2023

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

Natural England - 31 January 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.”

The Ely Group Of Internal Drainage Board - 2 February 2023

States: “The Board has no further comments to make on these conditions.”

Cambridgeshire Wildlife Trust - 6 February 2023

States: “The Wildlife Trust has no further comments to make on the submitted biodiversity information.”

Environment Agency - 8 February 2023

States: “Thank you for your email.

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

Lead Local Flood Authority - 14 February 2023

States: “Thank you for your consultation which we received on 30th January 2023.

We have reviewed the following documents:

- Variation of Condition Cover Letter, Vistry East Midlands, Dated: 11 November 2022

- Full Site Layout Plan, McBains Ltd, Ref: LITT01 MCB ZZ ZZ DR A 0330 D5 P11, Dated: 11

November 2022

Based on these, as Lead Local Flood Authority (LLFA) we have no comment on the proposed variation of condition 1, 5, 6, and 18. It does not appear that the changes to the proposed site layout will have an impact on the drainage scheme outlined in

application 17/00757/ESO. Assuch, our comments and requested conditions remain as outlined in our response ref: 201101570 (dated: 26 May 2017).”

ECDC Trees Team - 6 March 2023

States: “The revised soft landscaping scheme is acceptable.”

Littleport Town Council - No Comments Received

Ward Councillors - No Comments Received

Cambridgeshire Fire And Rescue Service - No Comments Received

Anglian Water Services Ltd - No Comments Received

Technical Officer Access - No Comments Received

Planning Casework Unit - No Comments Received

Head Of Strategic Planning - 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

Dept of Social Services - No Comments Received

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

NHS England - No Comments Received

Ambulance Service - No Comments Received

Minerals And Waste Development Control Team - No Comments Received

5.2 A site notice was displayed near the site on the 5th January 2023 and a press advert was published in the Cambridge Evening News on 8 December 2022.

5.3 Neighbours – 186 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

72 Yeoman’s Way – 07 December 2022

- Concerns over bus manoeuvring within the development site as well as larger vehicles;

4 Lupins Close – 21 December 2022

- Removal of 6 allocated parking spaces;
- Lack of bus stop provision along Grange Lane;
- Pedestrian access to footpath leading south from Grange Lane to Brickmaker's Way;
- Provision of bins within the development;
- Provision of a post box within the development;

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 *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. 21/00472/RMM (pursuant to LPA Ref. 17/00757/ESO and 17/00757/NMAA). 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 highway impacts of the proposed development, specifically the loss of the footpath along Grange Lane and impacts upon 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, insofar as to how they comply with the Design Code underpinning the original consent this application seeks to vary.
- 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 original outline approval. On this basis, it’s 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. Notwithstanding, this footpath is no longer intended to be provided.

8.0 ASSESSMENT OF THE DEVELOPMENT PROPOSAL

- 8.1 Members are advised that the conclusions reached within this report are made on the basis that the variations proposed to the outline consent (under LPA Ref. 22/01045/VARM) are considered to be acceptable. Only on this basis is the current application under consideration recommended for approval.
- 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 COM 8 sets out the expected parking standards for new developments, including visitor parking.

- 8.5 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.”
- 8.6 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”.
- 8.7 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.”
- 8.8 Within this context, the NPPF further sets out at Paragraph 112 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

- 8.9 This variation of reserved matters consent seeks to update the approved drawings to reflect the amendments proposed under the variation of outline consent under LPA Ref. 22/01045/VARM). Specifically, this concerns the omission of the Grange Lane footpath, and re-provision of an alternative upgraded shared path further north of the ditch.
- 8.10 Under LPA Ref. 22/01045/VARM, the removal of the footpath along Grange Lane in favour of a shared foot/cycle path set further back into the site has been found to be acceptable. The Committee Report supporting this application sets out the

justification for reaching this conclusion in further detail, and the prerequisites upon which this acceptability hinges.

8.11 *Bus Diversion and Service Provision*

8.12 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.

8.13 The later-approved Design Code then incorporated the provision of bus infrastructure to deliver upon this provision. As set out within the preceding section of this report, this included the mandatory provision of a widened vehicular access to support two buses passing; the mandatory provision of an highly-engineered internal spine road to support buses passing; a bus turning loop within the Community Hub car park; and indicative bus stops within the development site and along Grange Lane. The Design Code was adopted following consultation, including but not limited to the Local Highways Authority and County Council Transport Team.

8.14 The original reserved matters consent under LPA Ref. 21/00472/RMM was approved on the basis that it complied with and successfully delivered upon the aims of the Design Code, not least in its provision of bus infrastructure.

8.15 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 (and found acceptable under LPA Ref. 22/01045/VARM) removes the opportunity for a bus stop along Grange Lane.

8.16 However, the absence of the footpath along Grange Lane does not mean that the development itself does not accommodate bus provision within the site. Indeed, the following provisions are made within the development site:

- In accordance with their approval, the applicant has constructed (in-part) the approved internal spine road that has been specially designed to accommodate two buses passing. This was at significant expense to the Applicant, and had significant implications upon the overall design and layout of the development;
- Whilst not yet constructed, the consented development also provides for an internal bus stop along this internal-spine road;
- Furthermore, Condition 15 of the reserved matters consent requires that a scheme to demonstrate how buses can turn within the Community Hub car park shall be submitted to and approved in writing by the Local Planning Authority. This condition prohibits the occupation of the 300th dwelling until such a scheme has been constructed.

8.17 The above factors demonstrate that, in accordance with the scheme found to be acceptable and approved by the Local Planning Authority, the applicant has and will be required to make suitable provision for a bus to enter and exit the development

site. These measures also ensure that the bus contribution secured as part of the S106 legal agreement can be appropriately spent.

- 8.18 Notwithstanding the above, the concerns of the County Highways Transport Team are acknowledged, specifically their reservations over the suitability of the 'bus loop' to be provided within the Community Hub car park. As set out within their response, the County Highways Transport Team suggest that the arrangement is not attractive to bus operators, not least given that the turning facility will very likely be located within private land and not adopted highway. It should be noted that this is fundamentally the same proposal as identified in the Design Code that both the Transport Team and Local Highways Authority deemed to be acceptable. Concerns also stem from potential for conflict between cars, pedestrians and buses using the loop and safety concerns associated with this.
- 8.19 Members are firstly advised that the 'bus loop' arrangement has not yet been formally agreed, as it is outside of the consideration of this specific application. This means that the configuration of bus turning within the car park could likely change, and does not have to be a 'loop', provided it supported the function of a bus turning and accommodated the other required uses within Community Hub and square.
- 8.20 Members are further advised that under the original reserved matters consent (LPA Ref. 21/00472/RMM), the Local Highways Authority found that the 'bus loop' arrangement was technically feasible, and ensured that the applicant included appropriate buffers within the arrangement to accommodate any margin of error in buses turning. These comments were provided upon an indicative plan, and caveated with the requirement that further technical details would be required by the Local Highways Authority prior to an acceptable scheme being reached. Fundamentally, however, the original reserved matters scheme was approved on the basis that bus turning could be achieved within the Community Hub car park, and a condition to this effect imposed upon the consent.
- 8.21 Whilst the practical concerns of the County Highways Transport Team are duly acknowledged, a final scheme for the bus turning provision has not yet therefore been agreed.
- 8.22 It must also be noted that, irrespective of the provision of suitable bus infrastructure within the development site, the actual operation of bus services themselves is entirely independent of the planning approval and planning process. Indeed, the Local Planning Authority nor Applicant can force a bus operator to enter the development site, irrespective of funding provided.
- 8.23 The bus contribution itself, as secured within the S106 legal agreement, was also for a limited period of two years only and extended to the provision of bus infrastructure as well as to support the diversion of the service. Members are therefore reminded that the bus diversion through the development site was never intended to be indefinitely funded, but to encourage an operator to divert a service through the development with the intention that they may choose to continue this service in the future.
- 8.24 Under the original outline consent underpinning this variation of reserved matters application, the Senior Planning Officer also advised Members of the difficulties of

securing bus routes through new developments. In the case of the development site itself, the Senior Planning Officer made clear that highways network surrounding the development site was not conducive to supporting a successful bus route diversion. This was on the basis that connections to the adjoining Highfields development were not possible due to constrained road widths.

- 8.25 It was on this basis that the Senior Planning Officer found the outline application acceptable in the absence of supporting bus infrastructure or contribution. Notwithstanding, following concerns raised by Members, a scheme was approved with a bus contribution to encourage a bus route into the site.
- 8.26 Nevertheless, it is considered that the concerns raised by the County Highways Transport Team evidences the concerns regarding the feasibility of a bus route through the site raised under the original outline application.
- 8.27 On the basis of the above discussion, the following conclusions are drawn. The development as currently constructed and already consented makes provision for a bus to enter and exit the development site. Whilst final details of the bus turning provision are yet to be formally agreed, it has been demonstrated that a turning solution is achievable within the site, albeit not likely to be within adoptable highway.
- 8.28 For these reasons, it is considered that the development proposals comply with the original consents granted and the Design Code in seeking to provide a suitable level of opportunity for buses to serve the development site, and to ensure the requested bus contribution can be utilised. This has also been at significant expense to the Applicant, insofar that the internal spine road has been specifically designed so as to support bus provision, impacting upon the design and layout of the site as a whole.
- 8.29 Members are advised that the bus stops shown within the Design Code were only ever indicative, and the failure to provide a bus stop along Grange Lane is not therefore considered to be in conflict with a Golden Rule of the Code.
- 8.30 It is professional officer opinion that to find the internal bus route and turning arrangements unacceptable at this stage would be unreasonable, given that the Local Planning Authority, and Local Highways Authority, have found this previously to be an acceptable solution. It was on this basis that consent was granted.
- 8.31 Whilst the County Highways Transport Team have also suggested alternative options that may address their concerns, for the same reason at set out above, it is considered unreasonable to place additional onus upon the applicant, when an acceptable scheme has already been agreed.
- 8.32 The NPPF makes it clear at Paragraph 112 that new developments should “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” (emphasis added). It is considered that the development proposals fully satisfy this objective within the constraints of the development site, and with the objectives of Policies COM 7 and LIT 2 of the ECDC Local Plan 2015

8.33 *Loss of Visitor Parking*

8.34 As a whole, the loss of the proposed six visitor parking spaces would result in a shortfall of 20 visitor parking spaces across the approved development of 360 dwellings (70 as opposed to 90 spaces). The as-approved development was already consented with a shortfall of 14 visitor spaces, on the basis that the development complied overall with the Council's parking standards, as well as acknowledging the difficulties of securing visitor parking within non-adoptable roads; this was largely due to the internal spine road bus route. Whilst weighing against the application, it is considered that in this instance, the Council's previous conclusions are still valid. On this basis, the shortfall of a further six visitor parking spaces is considered to be acceptable, and would not conflict with the overall objectives of Policy COM 7 or Policy COM 8 of the ECDC Local Plan 2015 or the NPPF.

8.35 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.

8.36 Landscaping and Ecology

8.37 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.

8.38 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 suitable mitigation through replacement planting.

8.39 A replacement planting scheme has also been proposed as part of the current application. The Trees Officer and the Cambridgeshire Wildlife Trust have not raised any concerns with the proposal from an arboricultural or ecological perspective, and the replanting proposed is considered to comply with the objectives of the Design Code. Specifically, the planting incorporates an avenue of trees along the Grange Lane frontage (a golden rule), as well as maintain grass verges and incorporating the shared foot/cycle path.

8.40 The replanting of the existing hedgerow along Grange Lane where necessary and / or its enhancement with new native hedgerow planting is also golden rule for Grange Lane as set out within the Design Code. Hedges are proposed along Grange Lane, but further set back into the site in front of the dwellings. This is given the need to ensure that the shared foot/cycle way is visible, well-lit and contributes to the creation of an urbanised edge, given that it will be the main adopted pedestrian and cycle link to and from the development. Given the realignment of the ditch and enhanced specification of the shared foot/cycle way, there is also reduced feasibility of successfully delivering hedge planting immediately to the north of the proposed shared path, particularly given the need to accommodate boundary treatments within this small gap.

- 8.41 Ultimately, Grange Lane will still present as a treed and planted frontage, with hedgerows incorporated consistently throughout. On this basis, the proposed development is considered to comply with the objectives of the Design Code as a whole.
- 8.42 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.
- 8.43 Drainage and Flooding
- 8.44 The ditch across the front of the application site is to be retained following its re-alignment. Minor adjustments are also proposed to the foul water pumping station within the northern portion of the development. 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.
- 8.45 On this basis, the proposed development is considered to be acceptable in accordance with Policy ENV 8 of the ECDC Local Plan 2015, the Flood and Water SPD and the NPPF.
- 8.46 Character and Appearance
- 8.47 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 provision of the shared path is also compliant with the golden rules set out within the Design Code.
- 8.48 The proposed minor changes in the boundaries to four plots (50, 59, 344 and 345) is considered to result in a negligible change in the overall appearance of the development proposals as approved.
- 8.49 The temporary extensions to the garages of Plots 169 and Plot 1 have been constructed from black cladding, and are prominent features within the street-scene given their overall scale and materials palette. Because of their construction and materials palette, it is clear that the extensions are not part of the approved development. Whilst short-term visual amenity harm is considered to be acceptable during the build-out of the development proposals for use as marketing suites, a condition will be imposed to secure the removal of the temporary extensions within a period of 28 days following the termination of their use as show-homes.
- 8.50 A revised materials plan has been submitted to reflect layout changes proposed as part of the application. It is also mentioned within the Applicant's supporting statement that changes to the Red Brick 2 (Ibstock Surrey Red Multi) are proposed due to material's shortages, although explicit alternative material has been provided. Notwithstanding, in accordance with updated standard condition practice,

a flexible materials condition is proposed to be added to the consent to allow for re-discharge of this condition, should alternative materials be proposed in the future.

- 8.51 With regard to sash window details, whilst the window types have been approved under LPA Ref. 21/00472/DISA, the development itself has not been constructed in accordance with the approved plans. Specifically, the windows on a number of plots have been constructed smaller than approved. The Council are however aware that efforts are being made to regularise these works.
- 8.52 With regard to the updated hard surfacing details, these details have already been agreed under discharge of condition application LPA Ref. 21/00472/DISA under Condition 19. The changes reflect S38 technical approval from the Local Highways Authority, and will be incorporated into this consent.
- 8.53 The proposed development 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.
- 8.54 Other Material Matters
- 8.55 *Cambridgeshire and Peterborough Integrated Care System (CAPICS) (NHS)* – the application the subject of consideration benefits from an extant consent, already supported by a legal agreement setting out contribution requirements. CAPICS have identified the need for increased capacity at the St George’s Medical Centre in Littleport. The approved development is CIL liable, and these contributions will go towards funding projects on the Council’s CIL list, including district-wide healthcare improvement/provision.
- 8.56 *Waste* – the comments of the Waste Team are acknowledged; however, the proposed development does not impact upon the arrangements for collecting waste beyond those already approved. It would therefore be considered unreasonable to raise objection at this stage on this basis.
- 8.57 *Neighbour Comments* – The provision of public waste receptacles and post boxes are outside of the control of the applicant. No weight is therefore afforded to this concern in the assessment of the application proposals.
- 8.58 Concerns regarding the impacts of the proposed development upon the public right of way opposite the development site leading to Brickmakers Way are noted, but it not the responsibility of the development to fix existing problems. The impacts of the proposed development upon walking and cycling routes has been previously assessed and found to be acceptable, and it would therefore be unreasonable to raise objection on these grounds at this stage.
- 8.59 Planning Balance
- 8.60 On the basis of the conclusions reached within this report, the proposed development is considered to support the delivery of high quality development proposal.

- 8.61 The removal and re-provision of an alternative adopted shared path along Grange Lane is not considered to jeopardise the ability for the scheme to deliver a safe and accessible pedestrian and cycle link to and from the development site.
- 8.62 Furthermore, the removal of the path is not considered to jeopardise the ability of the site to deliver upon the internal bus route and turning provision secured as part of the agreed Design Code and original reserved matters consent.
- 8.63 The proposed development is found to be acceptable in terms of its impacts regarding highways and access; landscape and ecology; drainage and flood risk; and character and appearance. Fundamentally, however, the proposed development is considered to comply with the mandatory and advisory requirements of the Design Code underpinning the original reserved matters consent.
- 8.64 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:
- Under the approved Design Code and subsequent original reserved matters consent (LPA Ref. 21/00472/RMM), the Council and Local Highways Authority have found the internal turning arrangement to be an acceptable solution. It was on this basis that the original reserved matters consent was approved with a condition securing bus turning provision, and the applicant is building out the development proposals in accordance with this consent; and
 - Irrespective of funding and infrastructure provided, neither the Council, Applicant or Highways Authority can force a bus operator to enter a development site. Concerns over the feasibility of a bus route through the

development site were raised by the Senior Planning Officer when advising Members under the original outline consent LPA Ref. 17/00757/ESO.

10.0 **APPENDICES**

Appendix 1: Draft Planning Conditions

Appendix 2: Outline Decision Notice 17/00757/ESO

Background Documents

22/01378/VARM

21/00472/RMM
17/00757/ESO
17/00757/NMAA
17/00757/DISA
17/00757/DISB
17/00757/DISC
17/00757/DISD
17/00757/DISE
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>

AGENDA ITEM NO 6 Appendix 1

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
JBA 21/045-DT1		16th April 2021
JBA 21/045-DT2		16th April 2021
A-0300-D5	P2	27th August 2021
A-0176-D5	P3	27th August 2021
A-0208-D5	P1	27th August 2021
A-0280-D5	P2	27th August 2021
A-0281-D5	P3	27th August 2021
A-0156-D5	P1	9th November 2021
A-0400-D5	P2	9th November 2021
A-0401-D5	P2	9th November 2021
A-0402-D5	P2	9th November 2021
A-0185-D5	P4	9th December 2021
A-0404-D5	P3	6th December 2021
A-0403-D5	P3	6th December 2021
0216	P5	25th November 2021
0215	P5	25th November 2021
JBA 21-045-03	D	9th November 2021
A-0155 D5	P1	25th June 2021
A-0210 D5	P2	8th November 2021
A-0221-D5	P1	8th November 2021
JBA 21-045-01	F	22nd November 2022
JBA 21-045-02	F	22nd November 2022
JBA 21-045-05	F	22nd November 2022
JBA 21-045-06	F	22nd November 2022
JBA 21-045-07	F	22nd November 2022
JBA 21-045-08	F	22nd November 2022
JBA 21-045-09	F	22nd November 2022
JBA 21-045-10	F	22nd November 2022
JBA 21-045-11	F	22nd November 2022
JBA 21-045-12	F	22nd November 2022
JBA 21-045-13	F	22nd November 2022
JBA 21-045-14	F	22nd November 2022
JBA 21-045-15	F	22nd November 2022
JBA 21-045-16	F	22nd November 2022
A-0160-D5	P3	9th November 2021
A-0172-D5	P3	9th November 2021
A-0186-D5	P2	9th November 2021
A-0330-D5	P11	22nd November 2022
A-0331-D5	P11	22nd November 2022
A-0332-D5	P8	22nd November 2022
4235.Littleport.Vistry.TPP (E)	A	9th November 2021
4235.Littleport.Vistry.TPP (W)	A	9th November 2021
A-0336-D5	P7	22nd November 2022
A-0338-D5	P7	28th November 2022
A-0106-D5	P2	9th November 2021
A-0122-D5	P3	9th November 2021
A-0142-D5	P4	9th November 2021
A-0144-D5	P4	9th November 2021

A-0147-D5	P4	9th November 2021
A-0148-D5	P4	9th November 2021
A-0149-D5	P4	9th November 2021
A-0213-D5	P3	9th November 2021
A-0214-D5	P3	9th November 2021
GTC-E-SS-0012_R2-1		9th November 2021
A-0337 D5	P8	22nd November 2022
A-0335 D5	P7	22nd November 2022
JBA 21/045-04	E	6th January 2022
GROUP-VIS-S-EX-D2-A-FC-207		6th January 2022
A-0108 D5	P1	16th April 2021
A-0121 D5	P1	16th April 2021
A-0120 D5	P1	16th April 2021
A-0123 D5	P1	16th April 2021
A-0124 D5	P1	23rd April 2021
A-0125 D5	P1	23rd April 2021
A-0127 D5	P1	16th April 2021
A-0131 D5	P1	16th April 2021
A-0128 D5	P1	16th April 2021
A-0129 D5	P1	16th April 2021
A-0130 D5	P1	16th April 2021
A-0132 D5	P1	16th April 2021
A-0133 D5	P1	16th April 2021
A-0134 D5	P1	16th April 2021
A-0135 D5	P1	16th April 2021
A-0141 D5	P1	16th April 2021
A-0161 D5	P1	16th April 2021
A-0163 D5	P1	16th April 2021
A-0164 D5	P1	16th April 2021
A-0165 D5	P1	16th April 2021
A-0170 D5	P1	16th April 2021
A-0171 D5	P1	16th April 2021
A-0173 D5	P1	16th April 2021
A-0174 D5	P1	16th April 2021
A-0175 D5	P1	16th April 2021
A-0177 D5	P1	16th April 2021
A-0180 D5	P1	16th April 2021
A-0182 D5	P1	16th April 2021
A-0183 D5	P1	16th April 2021
A-0184 D5	P1	16th April 2021
A-0188 D5	P1	16th April 2021
A-0196 D5	P1	16th April 2021
A-0199 D5	P1	16th April 2021
A-0200 D5	P1	16th April 2021
A-0202 D5	P1	16th April 2021
A-0203 D5	P1	16th April 2021
A-0209 D5	P1	16th April 2021
A-0219 D5	P1	16th April 2021
A-0217 D5	P1	16th April 2021
A-0218 D5	P1	16th April 2021
A-0220 D5	P1	16th April 2021
A-0126-D5	P2	5th July 2021
A-0197-D5	P2	5th July 2021
A-0198-D5	P2	5th July 2021
A-0201-D5	P2	5th July 2021

A-0162-D5	P2	5th July 2021
A-0166-D5	P2	5th July 2021
A-0167-D5	P2	5th July 2021
A-0168-D5	P2	5th July 2021
A-0169-D5	P2	5th July 2021
A-0178-D5	P2	5th July 2021
A-0179-D5	P2	5th July 2021
A-0181-D5	P2	5th July 2021
A-0116-D5	P2	5th July 2021
A-0107-D5	P2	5th July 2021
A-0109-D5	P2	5th July 2021
A-0110-D5	P2	5th July 2021
A-0117-D5	P2	5th July 2021
A-0118-D5	P2	5th July 2021
A-0119-D5	P2	5th July 2021
A-0143-D5	P2	5th July 2021
A-0146-D5	P2	5th July 2021
A-0158-D5	P2	5th July 2021
A-0159-D5	P2	5th July 2021
A-0105-D5	P2	5th July 2021
LPBMS-500	REV A	22nd November 2022
LPBMS-600		22nd November 2022
LPBMS-601		22nd November 2022
LPLMS-500	REV A	22nd November 2022
LPLMS-600		22nd November 2022
LPLMS-601		22nd November 2022
0214	Rev 00	08th December 2022
7639-C-114-001	REV P13	08th December 2022
7639-C-139-01	P6	27th August 2021
Surface Water Drainage Strategy, Rev V.04		06th September 2021

- 1 Reason: To define the scope and extent of this permission.
- 2 No fruit trees shall be installed within 5m of the highway, including footways, to prevent the creation of slip hazards when fruit falls.
- 2 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 3 Notwithstanding the approved plans and Condition 4, no above ground construction shall take place on plots 337-360 until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. This condition relates specifically to the black boarding, as there is currently a lack of detail on this material.
- 4 The materials to be used in the construction of the external surfaces of the development shall be either:
 - a. As detailed on Drawing Ref. A-0332 D5-P8; or,
 - b. Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development.

All works shall be carried out in accordance with the approved details.

- 4 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 The temporary sales-office extensions as shown on Drawing Refs. LPBMS-500 Rev A; LPBMS-600; LPBMS-601; LPLMS-500 Rev A; LPLMS-600; LPLMS-601 attached to the garages of Plot 1 and Plot 169 shall be removed from the development site, and the garages made good in accordance with Drawing Ref A-0280-D5 P2, within a period of 28-days following the termination of their use as sales-offices in association with the sale of properties within the reserved matters development site.
- 5 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 All soft landscaping works shall be carried out in accordance with the approved details (drawing numbers JBA 21-045-01 to 16 Rev F, JBA 21-045-DT1, 21-045-DT2, 4235.Littleport.Vistry.TPP (E) Rev A and 4235.Littleport.Vistry.TPP (W) Rev A). The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of ten years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 6 Reason: To ensure the longevity of the landscaping scheme, in accordance with Policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 The development shall be carried out in full accordance with the Surface Water Drainage Strategy, Barter Hill, Ref: 7639 Rev V.04, Dated: August 2021 prior to any dwelling being occupied on site in regards to surface water drainage.
- 7 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.
- 8 The development hereby approved shall be carried out in strict accordance with the Energy and Sustainability Strategy as agreed under LPA Ref. 21/00472/DISA.
- 8 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 the Climate Change SPD, 2021.
- 9 All garages shall provide facilities for electric plug-in vehicles prior to first occupation of the dwelling to which it relates.
- 9 Reason: In accordance with the aims of the NPPF to provide for sustainable transport modes.
- 10 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on drawing LITT01-MCB-ZZ-ZZ-DR-A-0330 Revision P11 in writing by the Local Planning Authority.
- 10 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 11 Plots 1, 169, 20-25, 88, 144, 163 and 164 shall be constructed in accordance with the sash window details approved under LPA Ref. 21/00472/DISA. These details shall thereafter maintained in perpetuity.
- 11 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 All drawings that show a chimney on a dwelling, shall have the chimney installed prior to first occupation of the dwelling it relates to.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved accesses within 5m of the nearside edge of the carriageway or footway, whichever is the closer.
- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 14 Pedestrian visibility splays, as shown on the drawing 7639-C-139-01 Revision P6, must be retained free obstruction exceeding 0.6m above the level of the adjoining ground level for the lifetime of the development.
- 14 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 15 The proposal shall not exceed 299 dwelling occupations until a scheme/reserved matters has been 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. All works shall be carried out in accordance with the approved details prior to the occupation of the 300th dwelling.
- 15 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 16 The following dwellings:
 - Plot 1 Knightley
 - Plot 10 Knightley
 - Plot 26 Knightley
 - Plot 29 Knightley
 - Plot 226 Knightley
 - Plot 227 Knightley
 - Plot 315 Knightley
 - Plot 247 Pembroke
 - Plot 248 Knightley
 - Plot 219 Grainger
 - Plot 220 Grainger
 - Plot 232 Grainger
 - Plot 233 Grainger
 - Plot 245 Grainger
 - Plot 256 Grainger
 - Plot 113 X416 Maple
 - Plot 169 X413 Chestnut
 - Plot 151 X414 Aspen

shall have a ceiling height on all floors/rooms greater than 2 metres and can have up to 36 square metres each as E(a, c and/or Egi) Use Classes. For avoidance of doubt these dwelling units can also be used entirely for C3 Use Class.

- 16 Reason: The application has been submitted and considered on this basis.
- 17 All dwellings that have a shed (see drawing number A-0331 D5-P11) shall have the approved shed (Drawing lane 207 Rev 00) constructed prior to first occupation of that dwelling. The sheds shall be maintained for the lifetime of the shed.
- 17 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 18 The boundary treatments hereby permitted shall be constructed in accordance with the details specified on A-0332 D5-P8. The boundary treatments shall be in situ and completed prior to the first occupation of the dwelling or first use of public open space it serves. All works shall be carried out in accordance with the approved details and retained thereafter.
- 18 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 Notwithstanding the approved plans and Condition 18, the post and rail fencing as shown on 7639-C-114-001 REV P13, and 0214 Rev 00 surrounding the ditch along Grange Lane shall be installed in accordance with the approved within one month of the date of this consent, and retained thereafter.
- 19 Reason: In the interests of highway safety to prevent falls into the ditch, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 20 Notwithstanding the requirements of Condition 26 imposed under LPA Ref. 22/01045/VARM (relating to the shared pedestrian/cycle path and access), the hard landscaping details agreed under LPA Ref. 21/00472/DISA as shown on Drawing Ref.7639-C-107-020 shall be carried out in accordance with the approved details prior to the occupation of the dwellings to which they relate or in accordance with an implementation programme submitted to and approved in writing with the Local Planning Authority prior to first occupation.
- 20 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and in the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 21 The hereby approved development shall be completed in accordance with the approved external lighting details shown on Drawing Refs. 16755/001 (Sheets 1 – 4 of 4) and MMA16574/002 R1 as agreed under LPA Ref. 21/00472/DISA.
- 21 Reason: To ensure proper infrastructure for the site in the interests of public safety. This is supported by paragraph 95 of the NPPF.
- 22 No gates shall be permitted across any shared private road for the lifetime of the development.
- 22 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE

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This matter is being dealt with by:

Andrew Phillips

Telephone: [Redacted]
E-mail: [Redacted]
My Ref: 17/00757/ESO
Your ref

31st January 2020

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017

PLANNING PERMISSION

Subject to conditions

The Council hereby **approves** the following development:

Proposal: Residential development of up to 680 dwellings (including retirement/sheltered dwellings) and neighbourhood centre including associated infrastructure, public open space and landscaping
Location: Land Parcel North Of Grange Lane Littleport Cambridgeshire
Applicant: Manor Oak Homes Ltd

This consent for planning permission is granted in accordance with the application reference **17/00757/ESO** registered 27th April 2017, taking into consideration the information contained within the Environmental Statement which accompanied the application.

Subject to the additional conditions set out below:

ADDITIONAL CONDITIONS

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

Plan Reference	Version No	Date Received
40562/001		27th April 2017
40562/010	A	1st June 2018
PRELIMINARY ECOLOGICAL APPRAISAL		27th April 2017
U8100PM TA30	D	21st November 207

- 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 this permission.
- 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 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 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.
- 5 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.
- 6 Prior to the submission of any reserved matters application(s) a Design Code for the entire site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall broadly accord with drawing numbers 40562/004 C, 40562/002 D, 40562/008A and Illustrative Masterplan Design and Access Statement April 2017 Rev C.

Each Reserved Matters will need to demonstrate how it complies with the adopted Design Code on submission.

- 6 Reason: In order to ensure that this major development provides a high quality development to Littleport and that there is an agreed vision for the site as a whole in accordance with Policy ENV2 of the East Cambridgeshire Local Plan Adopted April 2015. This is a pre-commencement condition as the information is required prior to the submission of reserved matters, but would be unreasonable to require it at outline stage.
- 7 Prior to above ground construction works, 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.

- 7 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.
- 8 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme 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.
- 8 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. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 9 Prior to any work commencing on the site a site wide Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- Each reserved matters shall demonstrate how it complies with the site wide CEMP and thereafter comply with the agreed details.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 10 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.
- 10 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. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 11 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.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 Prior to the commencement of each reserved matters approval, a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
- a) Construction waste infrastructure if appropriate including a construction material recycling facility to be in place during all phases of construction
 - b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste.
 - c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
 - d) any other steps to ensure the minimisation of waste during construction
 - e) the location and timing of provision of facilities pursuant to criteria a/b/c/d.
 - f) proposed monitoring and timing of submission of monitoring reports.
 - g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.
 - h) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material
 - i) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles

The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

- 12 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.
- 13 No more than 225 square metres of retail space (A1 - A5) shall be submitted under the reserved matters applications within Phase 2 (as identified under drawing number 40562/010A).
- 13 Reason: The application has been submitted and considered on this basis.
- 14 5% of dwellings (C3 Use Class) on each reserved matters shall be designed as a live and/or work unit. 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 A1 or B1(a) Use Classes. For avoidance of doubt these dwelling units can also be used entirely for C3 Use Class.
- 14 Reason: The application has been submitted and considered on this basis.

- 15 Any dwelling that includes five bedrooms or higher shall include a non-self-contained annexe within the dwelling plot.
- 15 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.
- 16 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.
- 16 Reason: To safeguard the residential amenity of neighbouring/future occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 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.
- 17 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 policy LP28 of the Submitted Local Plan 2017.
- 18 All development shall commence in accordance with the mitigation measures covered within the Preliminary Ecological Appraisal dated February 2017.
- 18 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.
- 19 Prior to occupation of each phase/reserved matters a scheme of biodiversity improvements for that phase 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 that specific phase and thereafter maintained in perpetuity.
- 19 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 20 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.
- 20 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 21 Prior to submission of the first reserved matters application involving buildings, roads or other impermeable surfaces, a strategic surface water drainage strategy for the site based on sustainable drainage principles is to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be broadly based on drawing number 40562/004 C. The drainage strategy shall demonstrate that SuDS features have been utilised across the site and the existing drainage features have been retained wherever possible. It shall also include phasing arrangements, details of primary infrastructure for each phase and plans for drainage asset operation, maintenance and

contingency. The scheme shall set out what information, design parameters and design details will need to be submitted at the Reserved Matters stage for each phase of the development.

The development shall subsequently be implemented in accordance with the approved scheme.

21 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 condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

22 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.

22 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 condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

23 The development is strictly up to 680 dwellings (C3 Use Class) or 616 dwellings (C3 Use Class) and 64 residential units (C2 Use Class).

23 Reason: The application has been assessed and determined on this basis. The design coding and reserved matters will need to demonstrate through a design led approach that the total number of dwellings is acceptable in planning terms.

24 The access onto Grange Lane and footpath along Grange Lane shall be constructed in accordance with drawing TA30 Revision D prior to first occupation of any dwelling.

24 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

25 Prior to first occupation the speed limits along Grange Lane shall be changed in accordance with drawing number TA30 Revision D.

25 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.

- 26 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.
- 26 Reason: In order to provide superfast broadband to the future occupants (including working from home) in accordance with paragraph 112 of the National Planning Policy Framework and Growth 3 of the East Cambridgeshire Local Plan 2015.

INFORMATIVES RELATING TO THIS APPLICATION

- 1 This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out works within the public highway without permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents and approval under the Highways Act 1980 and Street Works Act are also obtained from the County Council.
- 2 Your planning application may be liable for CIL. For more information on CIL please visit our website <http://www.eastcambs.gov.uk/planning/community-infrastructure-levy> or email CIL@eastcambs.gov.uk.
- 3 This development should be carried out in strict accordance with the provisions of the Littleport and Downham Internal Drainage Board. Developer is required to enter into a legal agreement with the Board prior to works commencing.
- 4 This decision notice should be read in conjunction with the Section 106 Obligation dated 31 January 2020 and the development completed in strict accordance with the provisions contained therein, to the satisfaction of the Local Planning Authority.
- 5 The Local Planning Authority has taken all of the submitted Environmental Information into consideration in reaching this decision. This information includes that contained within the Environmental Statement (and any further information supplied), the comments from the consultation bodies and comments from the public and any other bodies.
- 6 It is noted and accepted that there will likely be minor revisions to the approved phasing plan during the reserved matter application stages. However, what constitutes as a minor revision is at the full discretion of the Local Planning Authority.
- 7 The decision to approve this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The proposal is considered to be in accordance with the policies of the Development Plan, that are considered to be up to date, and represents 'sustainable' development in compliance with the provisions of the NPPF. The application has been subject to pre-application advice/extensive discussion and amendments have been made that address officer concerns in regards to transport, phasing, visual impact and drainage.

PLEASE ALSO NOTE THAT THIS PERMISSION IS GRANTED SUBJECT TO DUE COMPLIANCE WITH THE BYE-LAWS AND GENERAL STATUTORY PROVISION IN FORCE IN THE DISTRICT AND

DOES **NOT** CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS. YOU ARE ADVISED TO CONTACT THE BUILDING REGULATIONS SECTION IF YOU WISH TO DISCUSS THIS FURTHER



Rebecca Saunt
Planning Manager

Dated: 31st January 2020