

**MAIN CASE**

Proposal: Erection of 16 affordable housing units

Location: Land to North East of 5 Back Lane, Littleport, Cambridgeshire

Applicant: A J Lee Developments Ltd

Agent: Birketts LLP

Reference No: 14/00017/FUM

Case Officer: Ann Caffall

Parish: Littleport  
Ward: Littleport East  
Ward Councillor/s: Councillor Andrew Wright  
Councillor David Ambrose-Smith

Date Received: 6 January 2014      Expiry Date:

**[P131]**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 This application was considered previously by Planning Committee on July 16 2014. See report attached as Appendix I. Members requested that the application come back to committee following further information being sought by Officers about the condition of the road, whether a footway is to be provided, drainage details, and the height of the lane in relationship to existing development.
- 1.2 Further information has been submitted from the applicants regarding the proposed access. Details of the drainage, and height are expected and will be reported verbally.
- 1.3 The application has been amended to 16 dwellings. Members considered a proposal for 5 dwellings in July. Further objections have been received from neighbours and the Local Highway Authority.
- 1.4 The application is recommended for REFUSAL.

**2.0 THE APPLICATION**

- 2.1 Since the Committee meeting in July 2014, the application has been amended to 16 houses. The original submission was 21 houses, Members considered 5 dwellings with access to the rear of the site at the July meeting.

- 2.2 The composition of the 16 houses is 12 x 2 bed, semi detached, 2 x 3 bed, semi detached, 1 x 4 bed detached and 1 x 3 bed detached.
- 2.3 The new access from Back Lane serving the development is now a cul-de-sac. This cul-de-sac meets adoptable standards with a 5.5m wide access and two footways each 2m wide. The layout incorporates some 650m<sup>2</sup> open space to the north east of the site adjacent to the allotments.
- 2.4 Back Lane is 4.8m wide. In addition to this two footways are included on the north and south of Back Lane. The proposed footway along the northern side would include the width of the red line (which is drawn along the front face of the wall to number 5 Back Lane and front of 21 Station Road). The footway varies in width but generally extends to between 1.2m – 1.6m and at its narrowest is about 1.0m for a short length at the western end and an even shorter length towards the east.

### **3.0 THE APPLICANT'S CASE**

- 3.1 The design incorporates a standard 4.8m carriageway with a separate footway along the northern side and a margin/verge along the southern side. The 4.8m carriageway is a standard provision as set out in Manual for Streets (MfS) and within the tolerances of the Cambridgeshire Residential Design Guide.
- 3.2 The optimum width for a footway is 2.0m and whilst it has not been possible to achieve this throughout, it is not anticipated that there will be many instances when this footway will be heavily used. Furthermore looking at the tolerances shown on Fig. 6.8 of MfS, the width available would be sufficient to allow parents with children to walk side by side, and to allow wheelchairs and pedestrians to pass. Whilst not fully meeting the 2.0m standard in places due to site constraints, it is nonetheless practical for the location.
- 3.3 It is accepted that the access road would not be adopted but it would be upgraded to a standard which is provided for within MfS. The applicant would expect to enter into a S106 agreement to ensure maintenance of the new portion of Back Lane.

### **4.0 REPLIES TO CONSULTATIONS on amendment to 16 dwellings**

- 4.1 Littleport Parish Council – Any further expansion on this site should be from another access point with a limit of 5 dwellings accessed from Back Lane. Further concern was raised at the inclusion on the site plan of the Back Lane and the road side verge. The unmade road cannot take too much more traffic.
- 4.2 Local Highway Authority – The number of units has been increased to 16. The amended access plan shows a 4.8m shared surface carriageway. This is below the minimum standard that the Highway Authority would normally adopt as we require a minimum 5.0m carriageway for traditional roads and more for a shared space if it is a shared surface access road. The Highway Authority would not therefore accept the layout shown for adoption.

It would normally be seen as appropriate to safeguard the future amenity of the number of residents served by the access by provision of an adoptable public highway. This will not be possible in this case.

Furthermore, the shared surface is seen as suitable to service only a small number of dwellings, we would advise that no more than 10 – 12 would be served in this way.

Further explanatory comments received from the LHA indicate:

We do not accept narrow carriageways for adoption anymore. 4.5m carriageways within the adopted public highway would be used for single carriageways or over a very limited length through a road narrowing as a traffic management feature. We have tried them as two-way carriageways during the period immediately after the publication of Manual for Streets and they don't work so we don't accept them anymore

The 'footway' on the plan is undimensioned and looks in places, to be a little wider than the service strip indicated as having a width of 0.7m. The minimum recommended width for a footway within MfS is 2.0m as a general provision. At localised pinch points we have accepted 1.0m and in specific cases 1.5m where for historic reasons 1.8m cannot be provided. However the Highway Authority's officers provide advice based upon experience and current guidance. My advice remains as provided. The access, from the layout provided, does not provide an adequate footway, or carriageway. I consider that it would operate as a shared surface carriageway in the absence of adequate footway provision

4.3 Environment Agency – comments remain pertinent from previous scheme.

4.4 IDB – No objections

4.5 Neighbours – Petition from Station Road and Back Lane Residents' and Homeowners' Association containing 30 signatures, Separate letters from 21, 24, 29, 30, 31, 34, 36, 37 Station Road, & 2, 4, 4A, 6, Silt Road

Objections on the following grounds:

Amendments have not alleviated previous objections, Back Lane and junctions with Quay Hill and Silt Road not able to cope with increase in traffic, not in line with density of adjoining area, flood risk, increase in volume of traffic and related issues of safety, noise and vibration on properties adjoining Back Lane, drainage, privacy and overlooking, encroachment on land in ownership of properties in Silt Road, loss of wildlife, misleading traffic survey results, front doors and windows will open onto proposed footway. What is there to stop traffic from turning left out of the development onto Back Lane

## 5.0 POLICY

East Cambridgeshire Core Strategy 2009

CS2 Housing  
CS11 Littleport

CS7	Infrastructure
S6	Transport impact
S7	Parking provision
H2	Density
H3	Affordable housing
H4	Affordable housing exceptions
EN1	Landscape and settlement character
EN2	Design
EN3	Sustainable construction and energy efficiency
EN6	Biodiversity and geology
EN7	Flood risk
EN8	Pollution
CS1	Spatial Strategy

East Cambridgeshire Draft Local Plan Pre-submission version (as amended June 2014)

GROWTH 2	Locational strategy
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
HOU 4	Affordable housing exception sites
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 5	carbon offsetting
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

Supplementary Planning Documents

Design Guide  
Developer Contributions

## **CENTRAL GOVERNMENT POLICY**

National Planning Policy Framework 2012

Core Planning Policies

- 3 Supporting a prosperous rural economy
- 4 Promoting sustainable transport

Technical Guide to the National Planning Policy Framework

## 6.0 **PLANNING COMMENTS**

6.1 As outlined in the previous report, (See Appendix I), Officers consider that the criteria outlined in policies CS1, CS2 and H4 have been satisfied in terms of exception sites/affordable housing. However the number of two storey dwellings proposed is now 16. This is a significant increase in the previous submission of 5 dwellings on the frontage. The proposed layout is in depth from a cul-de sac arrangement which precludes further development from this access.

6.2 The 650m<sup>2</sup> provision of open space on the north eastern boundary falls short of the guidance figure of 934m<sup>2</sup> requirement as outlined in the Supplementary Planning Guidance on Developer Contributions. Any shortfall could be met by a commuted sum.

Material issues arising from this change are impacts on residential amenity, character of the area and settlement edge, and Highway safety.

6.3 **Impact on residential amenity.** Whilst the frontage development to Back Lane remains as 5 two storey dwellings, the new layout incorporates two storey dwellings to the north east of existing properties in Back Lane and Silt Road. There is sufficient distance between windows in the new properties and the existing in Station Road, Back Lane and Silt Road to meet the standards outlined in the Design Guide. The impact on residential amenity is acceptable and would not cause significant overlooking or dominance to existing residents.

6.4 **Impact on character of the area and settlement edge.** 16 dwellings will result in the site being developed in depth which is not characteristic of development in Back Lane. Typically development has followed the frontage and is linear in nature. The proposal would result in a change in the view of the open countryside from Station Road and also of the edge of the settlement when viewed from further afield to the north.

In consideration of the view of the site in the immediate vicinity from Station Road only glimpses can be afforded and it is considered that the change would not be significant such that it would be detrimental to the character of the area. When viewed from further afield on Horsley Hale, Mow Fen and the A10, the proposed development would be seen in the context of development in Silt Road and Station Road and would not cause a significant change to the appearance of the edge of the settlement.

6.5 **Highway Safety.** The proposed access does not allow for further development to the rear of the site as had previously been submitted. A cul-de-sac arrangement is now proposed. Furthermore the submitted plans show that Back Lane can be upgraded to provide a carriageway of 4.8m with a variable width of footway. Plans showing cross sections of the proposed road in relation to adjoining dwellings are expected, together with drainage arrangements. The LHA advise that the access would effectively be a shared surface between pedestrians and vehicles. See SLR Dwgs. 10 and 11.

6.6 Officers are of the opinion that Back Lane at the present time is effectively a pedestrian route with the occasional cars for access. Although the proposed footway and carriageway are below an adoptable standard, pedestrians could step out of the carriageway and cars could pass a large vehicle. The distinction between the footway

and the carriageway will mean that existing doors and windows would be opening on to the footway rather than directly onto the carriageway.

6.7 It is the case that the addition of 16 new dwellings on the site will increase both vehicular and pedestrian traffic in Back Lane. Bearing in mind the LHA comments both on previous proposal for 5 dwellings and the current proposal, (see Appendix I Officers report to Committee 16/7/14) regarding the junction of Quay Hill and Station Road, proper planning for 16 new dwellings should safeguard the future amenity of existing and future residents by provision of an adoptable public highway. This will not be possible in this case.

6.8 Whilst there is a need for affordable houses in Littleport (see Housing Officer comments in Appendix 1), your Officers believe that there should be no difference in the expectation of provision of a safe access between affordable and market housing and Officers recommend that the application is **REFUSED** for the following reason:

Back Lane is substandard in width and has both garage doors and dwelling doors opening directly onto the Lane. The proposed upgrading to Back Lane incorporates a substandard footway and carriageway which in combination is considered unsatisfactory for the increase in traffic generated by 16 new dwellings, the amenity and highway safety of existing, and future users of Back Lane. Furthermore the width and radii of Quay Hill where it meets Station Road are inadequate for 2 vehicles to comfortably pass one another. Visibility looking southwest is limited by the boundary of 15 Station Road. As such the proposal fails to satisfy policies EN2 and S6 of the East Cambridgeshire Core Strategy 2009 and policies ENV2 and COM7 of the Draft Local Plan (pre-submission version) 2013 as modified, and NPPF guidance, which aim to promote safe and convenient access for all users.

## 7.0 **APPENDICES**

7.1 Appendix 1 - Officer Report to Planning Committee 16. 7. 2014.

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### **Background Documents**

Application  
14/00017/FUM

### **Location(s)**

Ann Caffall  
Room No. 011  
The Grange  
Ely

### **Contact Officer(s)**

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**MAIN CASE**

Proposal: Erection of 5 affordable housing units (4no. two bed houses and 1no. three bed house)

Location: Land To North East Of 5 Back Lane Littleport Cambridgeshire

Applicant: A J Lee Developments Ltd

Agent: Birketts LLP

Reference No: 14/00017/FUM

Case Officer: Ann Caffall

Parish: Littleport  
Ward: Littleport East  
Ward Councillor/s: Councillor Andrew Wright  
Councillor David Ambrose-Smith

Date Received: 6 January 2014      Expiry Date:

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**1.0 EXECUTIVE SUMMARY**

- 1.1 The amended application seeks consent for 5 affordable dwellings fronting Back Lane and includes a further access from Back Lane to land to the rear.
- 1.2 Local Objections have been received regarding the use of Back Lane as an access and the highway safety issues arising from the intensification of use.
- 1.3 The Parish Council recommends that 5 dwellings are the maximum number that should be accessed from Back Lane and any further development should seek access from elsewhere.
- 1.4 The Local Highway Authority consider that the proposal for 5 dwellings and access would seem the first step of an incremental development and that it would be premature to consider the revised proposal without certainty of the future use of the whole site.
- 1.5 The proposal is considered to comply with the relevant planning policies on affordable housing provision.
- 1.6 Due to the concern regarding the capacity of the highway and in the interests of clarity it is RECOMMENDED that:

the applicant be invited to submit a revised layout plan showing 5 dwellings across the frontage of the site in Back Lane with NO capability for further access from Back Lane to the rear of the site.

IF this amendment is received within 28 days then the application be APPROVED and appropriate conditions relating to materials, provision of parking spaces, landscaping, improvements to Back Lane, drainage, archaeology and completion of a S106 agreement be delegated to the Principal Development Management Officer.

In the event that amended plans are NOT received then it is recommended that REFUSAL of the application be delegated to the Principle Development Management Officer for the following reason:

The application site forms part of a larger parcel of land to the rear of the application site. The submitted plans include a vehicular access to this larger area of land. The proposal represents piecemeal and incremental development, which, if permitted, will give rise to further development to the rear of the application site (marked as Phase 2 on drawing no EDG/13/61/1d) the cumulative impact of which, would lead to the progressive detriment of highway safety of Back Lane which:

- Is sub standard in width,
- Has no footway at the application site
- Is unsuitable for those in wheelchairs - the width and gradient of the path to the southwest of 22 Station Road which connects Back Lane with the footway of Station Road being substandard.
- Has garage doors opening directly onto the lane
- Has windows opening directly onto the lane
- Is unsuitable for waste collection vehicles

Furthermore

- The width and radii of Quay Hill where it meets Station Road are inadequate for 2 vehicles to comfortably pass one another.
- Visibility looking southwest is limited by the boundary of 15 Station Road.

As such the proposal fails to satisfy policies EN2 and S6 of the East Cambridgeshire Core Strategy 2009 and policies ENV2 and COM7 of the Draft Local Plan (pre-submission version) 2013 as amended, and NPPF guidance which aim to promote safe and convenient access for all users.

**1.7 A Site visit has been arranged for 12:30, prior to the Planning Committee meeting.**

## **2.0 THE APPLICATION**

2.1 The original application under planning reference 14/00017/FUM comprised the erection of 21 affordable houses with access from Back Lane. Following consultation response received from the Local Highway Authority an amended road layout was received which showed the correct length of Back Lane from the limit of the adopted Highway.

2.2 The application was amended on 31 March 2014 to frontage only development. The amended site layout plan shows 5 two storey houses with an access road between plots 1 and 2 to the field at the rear of the site marked field/possible phase 2 on



drawing no. EDG/3/61/1d. The proposed dwellings are Plot 1, detached 3 bed, Plots 2, and 3, 4 and 5, - 2 pairs of 2 bed semi detached dwellings. All dwellings have an eaves height of 5m, ridge height of 7.9m, width of 7.2m and length of 7.6m.

- 2.3 A Design and Access statement, FRA, and speed check were submitted with the application and can be viewed on <http://pa.eastcambs.gov.uk/online-applications/>

### **3.0 THE APPLICANT'S CASE**

- 3.1 The Applicant's case is set out in the Design and Access Statement, which 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/>. Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, on the application file.
- 3.2 He states that the proposal fully complies with Policy H4 of the Core Strategy. A traditional approach has been taken in the design which is redolent of the general character of this part of the village.  
The applicant is content for occupancy and management to be secured in the most appropriate way by a planning obligation as was the case with the successful scheme at Ten Mile Bank. The scheme will be exempt from CIL.
- 3.3 The applicant has noted the ongoing demonstrable housing need in Littleport, but has also noted the comments of Littleport parish Council (who "supported" the dwellings on the frontage but objected to the dwellings in the rear), and the Station Road and Back Lane Residents and Homeowners Association who (at paragraph 4 of their representation dated 14 February) gave similar views, also supporting the principle of frontage – only development. The amended site layout plan illustrates how the frontage part of the development works. The access to the rear field will be retained in its proposed location (similar to existing) and would be used should a "phase 2" ever be progressed, but the application wishes to stress that a favourable decision on "phase 1" would not be taken to have any indications about the future of the rear part of the site which would remain as a field.
- 3.4 The proposal gives rise to no material considerations which are sufficient to justify refusal

### **4.0 THE SITE AND ITS ENVIRONMENT**

- 4.1 The application site is a field on the north side of Back Lane situated between allotment land and No 5 Back Lane. Back lane runs parallel to Station Road and links Littleport railway station in the north to the Quay/Quay Hill in the south. The Quay is a junction connecting Back lane, Silt Road, and The Hythe to Station Road. Back Lane is a single track, unadopted highway in a poor state of repair. There are no public rights along this lane. It is owned by the Environment Agency.
- 4.2 The adopted highway ends at the north side of The Quay (outside the property with postal address No 2 Silt Road). There is a distance of some 68m between the proposed site and the start of the adopted highway.

- 4.3 There are few distinguishing features within the site boundary. A close boarded fence to the side garden of the single storey property of 5 Back Lane marks the western boundary of the site. To the south of the site are dwellings of a mix of age and styles but single storey dwellings are predominant opposite the application site frontage. Further to the west of the site are the rear gardens to properties in Silt Road. To the north is agricultural land, and to the east a field and the allotments.

## **5.0 PLANNING HISTORY**

- 5.1 No relevant planning history.

## **6.0 REPLIES TO CONSULTATIONS**

- 6.1 Ward Councillor David Ambrose Smith – *Commenting on original 21 house scheme.* - Members appreciate the need for affordable homes but this is overdevelopment of the site; the proposed development is not in keeping with the surrounding properties and is outside the development envelope. Access and egress to the village will be an issue as Back Lane is a narrow unmade road with some houses opening directly on to the Lane which then leads to Station Road up an incline, visibility from the right is poor.

The site plan produced does not match the land registry plan.

It was unanimously agreed at the Parish Council meeting to support 4 dwellings in the frontage of the site and no development to the rear.

*On amendment to 5 dwellings* - Whilst I welcome the Developers revised application with a reduction of the number of housing units to 5, I again request that the application is called in to be considered by the Planning Committee. My reasons are as follows:

- 5 units are more than Littleport's own Planning Committee recommendation of no more than 4 units
- The newly presented drawing show the 5 units as shown on the original drawings with the remaining 16 units shown as possible phase II of the project. This could be seen as a way the developer hopes to eventually be granted permission for the original 21 housing units.
- The increased traffic would I feel still have an adverse effect on the residents in the immediate area along with the other lane users.

- 6.2 Littleport Parish Council – *commenting on original 21 house scheme* - Members appreciate the need for affordable homes but this is overdevelopment of the site; the proposed development is not in keeping with the surrounding properties and is outside the development envelope. Access and egress to the village will be an issue. Back Lane is a narrow unmade road with some houses opening directly on to the Lane, which then leads to Station Road up an incline, visibility from the right is poor. The site plan produced does not match the land registry plan. It was unanimously agreed to support 4 dwellings in the frontage of the site and no development to the rear.

*On amendment to 5 dwellings* - concerns. Any further expansion on this site should be from another access point with a limit of 5 dwellings accessed from Back Lane and the road side verge. The unmade road cannot take too much more traffic.

- 6.3 Environmental Health – *Commenting on original 21 house scheme* - no objections subject to conditions covering contamination assessment, construction hours deliveries associated with the construction phase, no burning of waste on site.

*On amendment to 5 dwellings.* Nothing to add to previous comments

- 6.4 Housing Officer – *Commenting on original 21 house scheme* - I am satisfied that there is a housing need for this proposal. The housing register for affordable rented housing contains 105 households who have a local connection to Littleport: current residents, those employed in Littleport, those who are previous residents and those with close family. There are also 19 households resident in Littleport on the waiting list for low-cost home ownership.

There are limited opportunities for this need to be addressed on schemes within the development envelope in the near future. Only one other site in Littleport currently has planning consent for affordable housing (12 units), and whilst there are further sites in Littleport allocated for housing, I am not aware of other proposals that will deliver affordable housing in the near future in Littleport. I am therefore of the opinion that an “exception site” under policy H4 will make a significant contribution to meeting current local housing need.

The mix of sizes from one-bed to four-bed is appropriate in addressing the identified need evidenced by the housing waiting lists. To best meet need and ensure a tenure-balanced development, around 25% of the homes (5 dwellings, predominately 2 beds) should be shared ownership and the remainder rented. Should consent be granted, I would request that affordable housing provisions are secured by planning condition or S106 Agreement.

*On amendment to 5 dwellings.* The comments relating to housing need expressed in my previous memo still apply as do the S016 requirements requested should consent be granted.

- 6.5 Waste Strategy Team - *On amendment to 5 dwellings* – It is East Cambs waste policy NOT to enter unadopted/private roads unless the roadway has been made up to adoptable highways standards and permission is given by the property owners/managers. If this permission is not given then residents would be required to bring bins and bags to the public highway.

The plans show an area marked “bins” it would be more suitable for each unit to have their own bins (2 x 240lt at present) with an individual area defined for storage, these bins would then be presented to the front of the property for collection on the relevant days (subject to point 1).

The Environmental Protection Act 1990 enables Councils to charge for the supply of wheeled bins, therefore all new residential developments in East Cambridgeshire are required to make financial contributions to allow for the provision of the appropriate coloured waste storage containers (wheeled bins). Each property requires 2 bins this

is currently set at £50 per property. (2 x 240 l at present) with an individual area defined for storage, these bins would then be presented to the front of the property for collection on the relevant days (subject to point 1).

Highways response suggests that road widths may cause issues with parked vehicles, it should be noted that the standard width of a waste freighter is 2.6m and should have at least 0.5m clearance on each side for manoeuvring purposes.

#### 6.6 Local Highway Authority – original comments:

Back Lane is not adopted so the red-outlined application site needs to be amended so that it connects with the public highway of Quay Hill.

I would expect a development of 21 houses to be served by a public road. However, it is not clear whether or not enough land is available for a road to be constructed with adequate geometry for it to become adopted. I note there are several existing windows and gates that appear to open outward into Back Lane and this would not be permitted over any part of a public highway. I would expect pedestrian visibility splays of 1.5m x 1.5m to each side of any vehicular entrance measured along and from any new highway boundary. Please ask the applicant to submit a plan showing how the existing lane would be improved. I am unable to comment on the Site Layout until I know whether or not the new estate road would connect directly with an adoptable highway.

In addition to the above, I have concerns about the connection with Station Road for both pedestrians and vehicles:

PEDESTRIANS – the width and gradient of the path to the southwest of 22 Station Road which connects Back Lane with the footway of Station Road is unsuitable for those in wheelchairs. A proposal needs to be submitted for its improvement.

VEHICLES – the width and radii of Quay Hill where it meets Station Road are inadequate for 2 vehicles to comfortably pass one another. Furthermore, visibility looking southwest is limited by the boundary of 15 Station Road. A speed survey of northeast bound traffic on Station Road is required to prove that the existing visibility is adequate in accordance with MfS2. A revised plan is required to show improvement to the width and radii.

*On receipt of amended road layout showing correct length of Back Lane from adopted highway.*

I note the revised location plan which includes the correct length of Back Lane from the limit of the highway of Quay Hill. The red outline does not include the full width of the Lane between existing walls / fences so I assume that the developer has no plans to improve the margins beyond the 4.8m access width shown on drg 133/2013/01.

Back Lane is a private road giving access to garages for some of the houses on Station Road plus allotments and other land. The 21 proposed homes would likely generate about 168 additional motor vehicle trips each day on the Lane. The proposed 4.8m width shown on drg 133/2013/01 is considerably less than the 6.5m width required by CCC for a new adoptable estate road (i.e. a carriageway shared between vehicles and pedestrians should be 5.5m wide plus adoptable margins of 0.5m each side for edge support & kerb maintenance.) In addition, it is not in the developer's control to remove the existing gates that would open outwards into the access way. This means Back Lane would remain unadopted. ECDC must consider whether or not

it would be acceptable to allow this development on the basis of it being served by over 100m length of private road off with all the ensuing complications for long term maintenance and access by waste collection vehicles.

In my response dated 24 January, I pointed out that the width and radii of Quay Hill where it meets Station Road are inadequate. No proposals have been submitted to deal with this issue but a speed survey has now been submitted. Visibility looking southwest from Quay Hill along Station Road is limited to about 36m along the nearside kerb line. In accordance with MfS2, this would be adequate for 85%-ile vehicle speeds of up to 26mph. The actual 85%-ile speed observed by the applicant's survey was 32mph for which a sight distance of 47m would be required.

Traffic going to and from the proposed homes would have a choice of routes either along The Hythe, along Silt Road or via the Quay Hill / Station Road junction. About 100 homes in this neighbourhood already use these routes. None of the routes are suitable for significant intensification of traffic in my opinion. Silt Road and The Hythe have narrow carriageways shared in places between vehicles and pedestrians including wheel-chair users but with no complementary traffic calming features to encourage drivers to take more care. Quay Hill / Station Road junction suffers from inadequate visibility and radii. It is my opinion that the extra traffic generated by the addition of 21 homes would have a significant adverse effect on highway safety in the immediate vicinity. I therefore recommend refusal on the grounds that:

- The approach roads of Silt Road and The Hythe are considered to be inadequate to serve the development proposed by reason of their restricted carriageway and footway widths. The alternative route to and from the site would lead to an intensification of use of the Quay Hill / Station Road junction which is inadequate by reason of its substandard radii and restricted visibility looking southwest from Quay Hill. The development, if permitted, would therefore be detrimental to highway safety.

*On amendment to 5 dwellings:*

Whilst the number of units has been reduced to 5, the layout still proposes an access to the rear of the site, and so would seem the first step of an incremental development. Such parcelling of an overall development could be seen as a strategy by the developer to argue that any increment, being smaller in scale, would have no significant impact, whereas the entire development, once implemented would.

It would, therefore, seem premature to consider the revised proposal without certainty of the future use of the whole site.

- 6.7 IDB – Providing the applicant obtains the consent of the Board for the discharge of surface water into the Board's District no objections in principle. The applicant will have to enter into a legal agreement with the Board to ensure that no future developments can drain into the proposed system.
- 6.8 County Archaeologist – original comments – Our records indicate that the site lies in an area of high archaeological potential. Cropmarks evidence for a large Roman settlement area has been identified to the north west of the site and Roman finds have been recovered south of the application site. An evaluation undertaken ahead of development to the west of the site in 2001 revealed debris from a late 4<sup>th</sup> century salt-working site. It is therefore considered likely that important archaeological remains survive on the site and that these would be severely damaged or destroyed by the

proposed development. Condition should be attached to any consent granted requiring a programme of archaeological investigation

*On amendment to 5 dwellings:* Our opinion for an archaeological programme in this location still stands owing to the location of Roman salt making sites in the vicinity of the application area and its location at the prehistory fen-edge.

- 6.9 Environment Agency – We have concerns that the FRA has not identified all sources of flood risk at the site and that the methodology used to estimate the 1 in 100 year flood level is based on our indicative Flood Map. However, we consider that the risk of flooding at this site due to a breach or overtopping of the Ely Ouse flood defences is low.

As the proposed finished floor levels detailed within the FRA are significantly higher than the lowest ground levels at the site, we consider that this will provide sufficient mitigation against the risk of the development flooding in an extreme flood event. As such we have no objection to the proposed development and recommend that conditions are imposed on any planning permission granted relating to finished floor levels (1.6AOD).

*On amendment to 5 dwellings* – we have no further comments to make. Our previous response remains pertinent

- 6.10 Cambridgeshire Constabulary - I have viewed the application from a crime reduction and community safety perspective taking into consideration the recommendations outlined in Secured by Design New Homes 2010. In terms of crime risk, there have been no crimes or incidents of anti-social behaviour recorded in the past 24 months for the post code given. No objection or comment to make regarding the layout of the scheme. I would encourage the applicant to consider and submit a Secured by Design application in due course.

- 6.11 Cambridgeshire Fire and Rescue – adequate provision should be made for fire hydrants by way of a planning condition or S106.

- 6.12 Neighbours –  
20, 21, 22, 23, 24, 28 30, 31 34 35, 36, 37, 39A, 42, 42A Station Road, 5 Back Lane, 4, 4A, 4b, 6, Silt Road, 32 Woodfen Road,

Petition objecting to the proposal from the “Station Road and Back Lane residents and Homeowners Association”, with 35 signatures names and addresses from residents living in Station Road, Back Lane, and Silt Road.

Comments on original application main objections can be summarized:

- Unsuitable access, no footpath, narrow lane, no off street parking for many properties, unlit, the lane is already congested with parked cars. Some people have doors, gates and garages leading directly onto the lane, lots of potholes.
- Allotments’ adjoining generates traffic at the moment – additional traffic is not appropriate
- Access for emergency vehicles will be restricted.

- The applicant has dug up all the trees and hedges which were on the site and on land adjacent. The fire still burnt 6 weeks after the site was cleared.
- Access is totally unsuitable for 40 plus cars. At the moment it is used by about 10 cars daily. It is a very poor private road. The increase in traffic will cause problems at the two junctions at Back Lane and Silt Road and at Station Road and Quay Hill.
- Drainage is totally inadequate. There have been large pools of water standing alongside the field of the application site since the developer ripped up the trees and shrubs and levelled the berm that kept the water on the field and off Back Lane.
- This is overdevelopment. Cramming 21 houses into such a small space is unreasonable even if it is for "Affordable Housing".
- Density of development in this location inappropriate. 3 – 4 more appropriate
- Parish Council meeting before Christmas prior to planning application was poorly advertised. It seems that with the pre-application advice from the housing officer was very positive. We have not been kept informed.
- Proposal not in line with planning guidance for exception site.
- Loss of trees, hedges and wildlife corridor to the allotments. Will spoil character of this quiet lane.

On amendment to 5 dwellings:

5 Back Lane, 5, 20, 21, 22, 30, 31, 34, 35, 36, 37, Station Road. 4, 4A Silt Road.

All objections still remain the same.

- This is not a new layout, why show an access road if it not intended to use it. The plan it shows full access to the rear with the possibility of 21 houses being developed. Increase in traffic and parking will make especially the narrow entrance to Back Lane dangerous for all users of the lane. Back Lane is the preferred safer access route for pedestrians and cyclists to the Station. Back Lane remains a narrow, unmade unadopted track. Even 5 dwellings will increase traffic movements and the same problems of access, remains.
- Overlooking of bungalows, will be dominating and harm character of the area
- It is unlikely that 5 affordable houses will be viable with the upgrade of the road, new sewer and new water main required. Further development must be intended to be cost effective.
- Suggest 4 vehicles only no access and the land behind used for allotments.
- Incorrect boundary. Site encroaches on land to rear of both 4 and 4A.
- Speed survey carried out in the afternoon not at critical times during a morning and later afternoon.
- The parish council has recommended a maximum of 4 houses on the frontage with no further development and even this would nearly double the amount of traffic. The layout with a full access road to the rear marked "possible phase 2" make it clear that there is yet more to come. This is a "sprat to catch a mackerel", a "foot in the door approach". Suggest that the developer be asked to submit new plans showing 3 or 4 houses covering the entire field before they are given any more consideration

## **7.0 THE PLANNING POLICY CONTEXT**

- 7.1 East Cambridgeshire Core Strategy 2009
  - CS2 Housing
  - CS11 Littleport
  - CS7 Infrastructure
  - S6 Transport impact
  - S7 Parking provision
  - H2 Density
  - H3 Affordable housing
  - H4 Affordable housing exceptions
  - EN1 Landscape and settlement character
  - EN2 Design
  - EN3 Sustainable construction and energy efficiency
  - EN6 Biodiversity and geology
  - EN7 Flood risk
  - EN8 Pollution
  - CS1 Spatial Strategy
- 7.2 East Cambridgeshire Local Plan Pre submission version (February 2013)
  - GROWTH 2 Locational strategy
  - 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
  - HOU 4 Affordable housing exception sites
  - ENV 1 Landscape and settlement character
  - ENV 2 Design
  - ENV 4 Energy efficiency and renewable energy in construction
  - ENV 5 carbon offsetting
  - ENV 7 Biodiversity and geology
  - ENV 8 Flood risk
  - ENV 9 Pollution
  - COM 7 Transport impact
  - COM 8 Parking provision
- 7.3 Supplementary Planning Documents  
Design Guide

## **8.0 CENTRAL GOVERNMENT POLICY**

- 8.1 National Planning Policy Framework 2012
  - Core Planning Policies
  - 3 Supporting a prosperous rural economy
  - 4 Promoting sustainable transport
- 8.2 Technical Guide to the National Planning Policy Framework



## 9.0 **PLANNING COMMENTS**

9.1 The site is outside the settlement boundary in 'open countryside' but adjacent to the settlement boundary. The main planning considerations are therefore considered to be:

- The principle of the development
- Impact on the landscape
- The impact on residential amenity
- The impact on highway safety
- The impact on trees, hedges, nature conservation and biodiversity
- Impact on flood risk and drainage

9.2 **The principle of the development.** Policy CS1 of the Core Strategy 2009 strictly controls development outside development envelopes. However certain exceptions are allowed under policy CS2, one of which is affordable housing schemes which are compliant with Policy H4.

Policy H4 states that:

- The site must be adjoining or in close proximity to the built up framework of the settlement
- No significant harm should be caused to the character and setting of the settlement and the surrounding countryside
- The scale of the scheme should be broadly related to the settlement hierarchy status of the settlement and to the scale of identified local affordable housing needs
- It should incorporate a range of dwelling sizes, types and tenures appropriate to identified local need
- The dwellings should be made available to those in local housing need at an affordable cost for the lifetime of the property
- It can be demonstrated that no land in a more suitable is available

9.3 Addressing these criteria in turn the site adjoins Littleport development envelope along its north eastern boundary. It is approx 500m from the railway station and closer than other properties within the development envelope. It is possible to walk to the village and sports centre by foot. Back Lane is predominantly undeveloped on its western side. Whilst glimpses of agricultural fenland can be afforded through the gaps between dwellings in Station Road, it is considered that the proposal will not interfere significantly with these views and the small number of 5 dwellings would not adversely affect the character of the settlement. Littleport is designated as a Market Town in policy CS2 where the majority of development will be focused. 5 dwellings would not be too large for one of the three major settlements in the district where development is focussed.

9.4 The Housing Officers report in section 6 above outlines that there is an identifiable affordable housing need but there is little opportunity for this need to be addressed on schemes within the development envelope in the near future. Only one other site in Littleport currently has planning consent for affordable housing (12 units), and whilst there are further sites in Littleport allocated for housing, he is not aware of other proposals that will deliver affordable housing in the near future in Littleport. He is therefore of the opinion that an "exception site" under policy H4 will make a significant

contribution to meeting current local housing need. The mix of sizes from one-bed to four-bed is appropriate in addressing the identified need evidenced by the housing waiting lists. A S106 agreement is proposed to ensure the properties are affordable in perpetuity, and secure the nomination rights and tenure.

- 9.5 Policy H4 will be superseded by Policy HOU4 in the Draft Local Plan (pre-submission version) 2013 as amended (DLP). The Draft Local Plan (pre-submission) 2013 as amended is being examined by the Inspector, Hearings having taken place in February and June 2014. Having regard to the advanced stage in the adoption process Officers give Policy HOU4 considerable weight. Policy HOU4 reflects the criteria of Policy H4, but in addition states that on sites outside settlement boundaries, schemes for affordable housing may be permitted where:
- There is an identified local need which cannot be met on available sites within the development envelope (including allocation sites)
  - The site is well related to a village which offers a range of services and facilities and there good accessibility by foot/cycle to those facilities

Officers consider that these criteria have been satisfied and that the proposal for 5 affordable dwellings on the site frontage is acceptable in principle subject to consideration of the material issues that are site specific.

- 9.6 **The impact on residential amenity:** Policy EN2 in the Core Strategy and Policy ENV2 in the DLP seeks to ensure that there is no significantly detrimental impact on the residential amenity of nearby occupiers.
- 9.7 Plot 1 will be some 18.5m distant from 5 Back Lane. The first floor side elevation of Plot 1 shows a false window detail in the side elevation and provided no glazed windows or further openings are permitted in this side elevation it is considered that the residential amenities of 5 Back Lane would not be significantly affected by overlooking or dominance of Plot 1.
- 9.8 The site survey does not show the ground levels of the existing dwellings. The ground levels of the application site nearest Back Lane are in the region of 1.6m AOD. Assuming the floor height of the proposed dwellings is set at 1.6m AOD, the proposed new dwellings with a ridge height of some 7.9m, will be taller than the single storey dwellings on the opposite side of Back Lane. 27A, 28 and 29 Station Road are single storey dwellings with windows facing north towards the application site. The proposed two storey dwellings would have bedroom windows facing the existing dwellings. The guidelines for window to window distances in the Design Guide are 20m. There will be some separation by the width of Back Lane and the parking spaces in front of the proposed two storey development resulting in a window to window distance of 22m which meets the adopted guidance. The proposed dwellings will impact on 27A, 28 and 29 Station Road and there would be some increased noise and disturbance, however it is considered that the impact by reason of overlooking, overshadowing and loss of light will not be so detrimental that it significantly reduces the residential amenities enjoyed by the occupants.
- 9.9 **Impact on the landscape.** Policies EN1, EN2 of the Core Strategy and ENV1 and ENV2 of the DLP address these issues. They require that the settlement edge and the

wider landscape setting should be preserved or enhanced, with high quality design and materials, reinforcing local distinctiveness.

- 9.10 The ridge heights of existing dwellings range between 7.3m and 8.9m. The ridge heights of the proposed dwellings are some 8m so will be at the high end of the spectrum. Assuming that the new dwellings will be set at a minimum of 1.6m AOD then the ridge height of the new dwellings would be taller than the ridge heights of the majority of the existing dwellings. Obviously the higher the floor levels of the dwellings are set above that 1.6m minimum, the greater the impact of the dwellings on the landscape and surrounding area. However it is considered that from the public views from Station Road, Silt Road and further north from Mow Fen Drove the proposed development will appear as a continuation of the frontage development along Station Road, The Hythe and Silt Road. The site location is not isolated but adjacent to the existing built form.
- 9.11 **Impact on highway safety:** Policies CS8, S6 S7 of the Core Strategy and Policies COM7 and COM8 aim to provide adequate parking provision within the development and safe and convenient access to the highway network. Development should be capable of accommodating the level /type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. National Planning Policy Guidance outlines that developments which create a significant amount of traffic should be supported by a Transport Statement or Transport Assessment that show how safe and suitable access to the site can be achieved for all people. Plans should consider the needs of people with disabilities by all modes of transport.
- 9.12 Spaces for two cars per dwelling are provided clear of Back Lane within the scheme and this meets the adopted standard.
- 9.13 Access to the site would in the main be via Quay Hill. However there is nothing to stop vehicles accessing the site from the Station end of Back Lane (other than the poor state of repair). Local residents and the Parish Council have consistently raised objections to this means of access. On receipt of amended plans and a speed survey (that were requested by the Local Highway Authority), the LHA recommended refusal of the application for the following reason *"The approach roads of Silt Road and The Hythe are considered to be inadequate to serve the development proposed by reason of their restricted carriageway and footway widths. The alternative route to and from the site would lead to an intensification of use of the Quay Hill / Station Road junction which is inadequate by reason of its substandard radii and restricted visibility looking southwest from Quay Hill. The development, if permitted, would therefore be detrimental to highway safety"*
- 9.14 The application was subsequently amended to the current proposal of 5 houses, but included an *"access between plots 1 and 2"*. The LHA response to this reduction in number is that *"approval of the development would seem the first step of an incremental development. Such parcelling of an overall development could be seen as a strategy by the developer to argue that any increment, being smaller in scale, would have no significant impact, whereas the entire development, once implemented would"*.

- 9.15 From a planning point of view Back Lane is a sub-standard access which is unadopted in a poor state of repair. The submitted plans show an additional access from Back Lane which enables further development to the rear of the site at some future date. This development is marked as Phase 2. Whilst the applicant states that a favourable decision on “phase 1” would not be taken to have any indications about the future of the rear part of the site which would remain as a field, there is no guarantee to the Local Planning Authority that this will be the case.
- 9.16 The Parish Council have advised that they consider 5 dwellings accessed from Back Lane to be the maximum and that any further development of the site should be via an alternative access. The County Highway Authority advice is that 5 dwellings from a private drive is the maximum number that works well in terms of management and maintenance agreements. This is not a strict figure but one of guidance. Back Lane is already a private drive and Members should consider whether this sub-standard lane is capable of accommodating an additional 5 dwellings plus further development at the rear of the site.
- 9.17 It is clear that the proposed reduction in numbers is a response to the PC, LHA, and neighbour objections regarding use of Back Lane. However Officers consider that whilst an access is shown from Back Lane, the remaining area to the rear is a potential development site and the area needs to be dealt with as a whole, rather than incrementally, as appears to be the intent of this application. Officers consider that submission of amended plans omitting the access and showing only 5 dwellings on the frontage of the site would prevent further access from Back Lane. To date the LPA have received no plans showing these amendments.
- 9.18 **The impact on biodiversity:** It is understood that the site has been cleared of coniferous trees and indigenous scrub planting. There were no significant landscape features of habitat at the time of the site visit. It is unlikely that development of the site will have a detrimental impact on the biodiversity of the area.
- 9.19 **Impact on flood risk and drainage:** Policy EN7 of the Core Strategy and Policy ENV8 of the DLP seeks to ensure that all proposed development is safe from flooding and whilst the E.A. are not satisfied that the FRA has identified all sources of flood risk at the site and that the methodology used to estimate the 1 in 100 year flood level is based on the EA indicative Flood Maps. The EA advise that provided a condition requiring the finished floor levels are set above 1.6m AOD is attached to any consent granted then the development is acceptable.
- 9.20 **Summary:** The application proposes the construction of 5 affordable dwellings on land outside the settlement boundary of Littleport. The proposal complies, in the main, with affordable housing ‘exceptions’ policies CS2, H4 GROWTH2 and HOU4. The material consideration of highway safety however remains unresolved. It is considered that if the proposal includes the ability for further development to take place at the rear of the site via an access from Back Lane there are no appropriate planning conditions that can mitigate against the adverse impact on Back Lane and the adjoining highway network.

## 10.0 **RECOMMENDATION**

### 10.1 It is RECOMMENDED that:

The applicant be invited to submit a revised layout plan within the next 28 days, showing 5 dwellings across the frontage of the site with NO capability for further access from Back Lane to the rear of the site.

If this amendment is received then the application be APPROVED and appropriate conditions relating to materials, provision of parking spaces, landscaping archaeology, improvements to Back lane, construction management, drainage and completion of a S106 agreement be delegated to the Principal Development Management Officer.

In the event that the amended plans are NOT received within 28 days of the Committee Meeting, then it is recommended that REFUSAL of the application be delegated to the Principle Development Management Officer for the following reason:

1. The application site forms part of a larger parcel of land to the rear of the application site. The submitted plans include a vehicular access to this larger area of land. The proposal represents piecemeal and incremental development, which, if permitted, will give rise to further development to the rear of the application site (marked as Phase 2 on drawing no EDG/13/61/1d) the cumulative impact of which, would lead to the progressive detriment of highway safety of Back Lane which:

- Is sub standard in width,
- Has no footway at the application site
- Is unsuitable for those in wheelchairs - the width and gradient of the path to the southwest of 22 Station Road which connects Back Lane with the footway of Station Road being substandard.
- Has garage doors opening directly onto the lane
- Has windows opening directly onto the lane
- Is unsuitable for waste collection vehicles

Furthermore

- The width and radii of Quay Hill where it meets Station Road are inadequate for 2 vehicles to comfortably pass one another.
- Visibility looking southwest is limited by the boundary of 15 Station Road.

As such the proposal fails to satisfy policies EN2 and S6 of the East Cambridgeshire Core Strategy 2009 and policies ENV2 and COM7 of the Draft Local Plan (pre-submission version) 2013 as amended, and NPPF guidance which aim to promote safe and convenient access for all users.

<b><u>Background Documents</u></b>	<b><u>Location(s)</u></b>	<b><u>Contact Officer(s)</u></b>
Application File14/00017/FUM	Ann Caffall Room No. 011 The Grange Ely	Ann Caffall Senior Planning Officer 01353 665555 ann.caffall@eastcambs.gov.uk