

**MAIN CASE**

**Reference No:** 17/00757/ESO

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

**Site Address:** Land Parcel North Of Grange Lane Littleport  
Cambridgeshire

**Applicant:** Manor Oak Homes Ltd

**Case Officer:** Andrew Phillips, Senior Planning Officer

**Parish:** Littleport

**Ward:** Littleport West  
Ward Councillor/s: Councillor Christine Ambrose-Smith  
Councillor Paul Cox

**Date Received:** 27 April 2017      **Expiry Date:** 31 March 2018

**[S226]**

1.0 **RECOMMENDATION**

- 1.1 Members are recommended that approval be delegated to the Planning Manager following the completion of a S106 Legal Agreement and the following draft conditions with any revisions to the conditions delegated to the Planning Manager, in order to make both the decision notice and S106 precise, relevant and reasonable. The planning conditions can be read in full in Appendix 1.
1. Approved Plans
  2. Reserved Matters
  3. Time Limit
  4. Fire Hydrants
  5. Adoptable Roads
  6. Design Code
  7. Foul water
  8. Tree Protection
  9. Construction Environmental Management Plan (CEMP)
  10. Unidentified Contaminated Land
  11. Construction Times
  12. Detailed Waste Management and Minimisation Plan
  13. Retail Limit
  14. Annexes
  15. Noise mitigation/protection

16. Tree Protection
17. Ecological protection
18. Ecological enhancement
19. Sustainability
20. Strategic Surface Water
21. Phased surface water
22. Dwelling limit
23. Grange Lane access
24. Grange Lane speed limits
25. Broadband

## 2.0 SUMMARY OF APPLICATION

- 2.1 This item was previously discussed at December Planning Committee and the previous report is attached as Appendix 1. This previous report covers all the planning history, policies, consultation comments (up to that point) and detailed recommended conditions. The committee deferred this application in order to allow the highway concerns raised by County Council to be considered in more detail prior to determination.
- 2.2 The proposal is for outline consent for up to 680 dwellings; which is broken down to 616 houses (originally for 30% affordable housing but since the Proposed Local Plan gained Council approval will now be 20%), 14 retirement bungalows and 50 retirement flats. It also includes public open space, retail units and a community centre.
- 2.3 The application will provide approximately 4 hectares of usable public open space and 2.8 hectares of buffer open space between the development and the A10. With the developable area being approximately 20 hectares, the net density is 34 dwelling per hectare.
- 2.4 The application is supported by an Environmental Statement (screened prior to submission), due to the potential significant impacts on archaeology and visual impact. The requirement of an Environmental Statement does not weigh against a planning application, but should highlight that the impacts of the development go beyond the immediate area and careful consideration is required. The application has been duly advertised to reflect that an Environmental Statement has been submitted.
- 2.5 The developer undertook significant pre-application advice with both the local community and the Local Planning Authority in order to help guide the submission of the application and to overcome concerns at the earliest opportunity.
- 2.6 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/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

### 3.0 THE SITE AND ITS ENVIRONMENT

- 3.1 The site is located adjacent and to the west of the Highfield Farm development and Woodfen Road (a narrow lane that no longer connects to the A10 along the western boundary). The northern boundary is defined by the playing fields of the Primary School on Parsons Lane. The southern boundary is defined by Grange Lane, which is the location of the main access onto the public highway.
- 3.2 The site is currently 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 tree line.
- 3.3 The A10 is approximately 1 metre lower than the site in the southwest corner of the site.

### 4.0 RESPONSES FROM CONSULTEES

- 4.1 The developer, the Local Planning Authority and the Transport Assessment Team met on the 19 December 2017 in order to discuss mutually agreeable way forward to progress the application. Following this meeting the developer and the Transport Assessment Team have provided details of what both sides consider appropriate contributions. This has also involved discussions with the Littleport Community Primary School. With these being fundamentally S106 negotiations, the wider public has not been consulted.
- 4.2 All previous responses received are detailed in the report attached at Appendix 1.

### 5.0 PLANNING COMMENTS

- 5.1 All material planning considerations are addressed within the original report (Appendix 1) and this report only deals with highway matters raised.
- 5.2 Highway Safety and Transport
- 5.3 The latest statements from the developer and the Transport Assessment Team (County Council) can be seen in appendix 2 and 3.
- 5.4 In regards to the A10/A142/Witchford Road Roundabout there is still disagreement between the developer and the County Council in relation to the contributions, required from the developer to help fund the improvements to this roundabout.
- 5.5 Cambridgeshire County Council have estimated that the works to the three roundabouts of A142/Witchford Road (Lancaster Way), A10/A142/Witchford Road and A10/A142 to be around £5,000,000 (£1,666,666 per roundabout). On this basis they seek £319,000 from the developer to cover the predicted amount of traffic movements from this development to the predicted cost of the entire project. The benefits of this method is that it relates more to predicted traffic movements and cost of infrastructure, the downside is that it works on the basis that Littleport 2 (680 dwellings) will have a far greater (over twice) impact upon this A10 roundabout than the North Ely development (2000 dwellings) even through traffic

from both developments would likely join the A10 north of the roundabout in question.

- 5.6 The case officer used the agreed S106 money from the two approved North Ely developments to calculate a figure of £194,820; indexed linked this would be approximately £201,137.
- 5.7 The developer's methodology uses the predicted cost of £1,666,666 per roundabout minus £573,000 (current North Ely contributions) and is predicting a contribution of £177,000 for the final phase of North Ely. The funds, therefore, still required are £916,666 and thus the applicant should only need to pay £176,000. However, the applicant agrees to pay the sum as calculated by the case officer (suitably indexed) as stated above. The developer's methodology does not include or consider that Lancaster Way will also be partially funding the roundabout improvement. The developer will not pay the amount requested by County Council as they consider it to be unreasonable.
- 5.8 With all relevant parties agreeing that a contribution is required, it is not considered reasonable to seek refusal on this grounds but further S106 negotiation will be required prior to final determination. This supports the recommendation of one of delegated approval.
- 5.9 The developer has provided a Walking and Cycling Audit (December 2017) where all parties are in agreement that there is a significant existing problem in regards to pedestrian access immediately opposite Littleport Train Station. The developer is not offering any contribution to help improve this situation. This development cannot be held accountable for existing problems.
- 5.10 Following discussions with the County Council Transport Team the developer is now offering a contribution of £245,238.66 for two years of bus enhancement (hourly bus service) and diversion of an existing bus route through Highfield Drive and Grange Lane. The County Council is seeking at least 3 year bus service, starting on the occupation of the 300<sup>th</sup> dwelling (cost of £367,857.99 to the developer, similar to what North Ely has paid toward public transport for 2000 dwellings). The County are seeking this in order to ensure the bus service is well used and that people get used to using the bus service.
- 5.11 The developer is not willing to provide a contribution for the diversion of a bus route for 3 years, as it considers two years to be unreasonable but the applicant is providing it in order to help address the concerns of the County Council.
- 5.12 With the development having previously been assessed by planning officers to have met the requirements of sustainable development the provision of any bus service is an additional merit of the proposal. It is, therefore, recommended that a two year service is acceptable if the bus company agree to reroute its service. With the bus provision now going through the development, bus stops will need to be provided within the development. The provision of these bus stops can be secured by S106 Agreement or a condition.
- 5.13 All relevant parties have agreed that the developer should provide an access to the boundary with Littleport Community Primary School, this maybe secured by S106

or condition. Any works required within the property confines of the Primary School are covered by CIL.

- 5.14 The pedestrian access onto Woodfen Road (county lane, 60mph speed limit) is still opposed by Local Highways Authority as it is unsafe for pedestrians. The developer is still offering £41,000 to East Cambs District Council in order to provide a footpath if possible and when the District Council believe it is safe to do so. As detailed in the previous committee report, it is not considered reasonable to refuse the application on these grounds and the link will enable the development to connect with other parts of Littleport.
- 5.15 Planning Balance
- 5.16 The proposal by providing a mix of uses on site and by providing connections to two Primary Schools in close proximity is considered to meet the requirements of paragraphs 32 and 38 of the NPPF that states:
- “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe...For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.”
- 5.17 The applicant is providing a link to the school, an enhanced bus service for two years and a contribution to improvements to the roundabout and is therefore considered to be acceptable.
- 5.18 There is no in principle issue with the proposed development of 680 dwellings on this site. The proposal will provide significant public benefits that include the range of dwelling types, public open space and the provision of a community centre.
- 5.19 In regards to social sustainability the developer is providing a wide range of housing (including fully policy compliant affordable housing), dwellings adaptable for both work and/or extended family, a community centre and providing a significant increase to the overall housing stock in the district.
- 5.20 The proposal meets with environmental sustainability by providing large provisions of open space, a clear buffer against the A10, ecological improvements, sustainable urban drainage systems, renewable energy, provision of a bus service and the addition of landscaping.
- 5.21 Finally in regards to economic sustainability the proposal provides a limited amount of retail space (mimics the corner shop idea), but is small enough not to have any noticeable impact on the retail hub of Littleport. The construction works will likely improve the economy in the area but this is short term and little weight is given to this. The provision of this significant amount of housing will provide homes for the workforce and having some dwellings capable of small businesses will allow people to work from home.

5.22 The proposal is considered to be acceptable as the benefits significantly outweigh the potential harm. With the S106 still being drafted it is recommended that members grant the Planning Manager delegated powers to determine the application following completion of the S106.

## 6.0 COSTS

6.1 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.

6.2 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.

6.3 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.

6.4 In this case Members' attention is particularly drawn to the following points:

- No air quality issues
- Road noise can be mitigated against
- The comprehensive bringing forward of development
- The entire site is allocated for development in the proposed submission local plan

## 7.0 APPENDICES

7.1 Appendix 1 – Previous Committee Report, including detailed recommended conditions.

7.2 Appendix 2 – Developer's final letter in regards to Transport contributions

7.3 Appendix 3 – County Council Transport Assessment Team and Local Highways Authority final letter

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
17/00757/ESO	Andrew Phillips Room No. 011 The Grange	Andrew Phillips Senior Planning Officer
16/01590/SCREEN	Ely	01353 665555 andrew.phillips@ea stcambs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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>