

**MAIN CASE**

**Reference No:** 19/01704/FUL

**Proposal:** Re-modelling of the Lancaster Way Business Park access to A142 roundabout and associated utilities works at Lancaster Way Business Park, Ely, CB6 3NX (Six Year Permission)

**Site Address:** Site North East Of 115 Lancaster Way Business Park Ely Cambridgeshire

**Applicant:** Grovemere Property Limited

**Case Officer:** Andrew Phillips, Planning Team Leader

**Parish:** Ely

**Ward:** Ely West

Ward Councillor/s: Sue Austen  
Paola Trimarco  
Christine Whelan

**Date Received:** 9 December 2019      **Expiry Date:** 9 April 2020

[U192]

1.0 **RECOMMENDATION**

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

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC (6 Year permission)

2.0 **SUMMARY OF APPLICATION**

2.1 The application has been called in by Cllr Christine Whelan following the comments of Witchford and Ely Councils, as well as the potential impacts on sustainability.

2.2 The proposal seeks to widen the vehicular driveway entrance into Lancaster Way to allow for approximately doubling the length of the two lanes exiting the business park. This is in order to reduce the length of queuing vehicles seeking to exiting Lancaster Way onto the A142. The remainder of the potential works to Lancaster Way roundabout would be a Cambridgeshire County Council matter, as they fully relate to highway improvements within the public highway and do not form part of this application.

2.3 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 PLANNING HISTORY

3.1 The expansion of the Enterprise Zone (EZ) is covered by planning application 15/01240/VARM.

3.2 There is no specific planning history to this individual application. The wider road improvements shown off site are necessary due to the already approved growth in the north of the district that includes (though not limited to) the developments of Lancaster Way Enterprise Zone, North Ely and LIT2. However, all growth that connects on the A142 west of Ely and all development north of Ely that connect on the A142/A10 (BP) Roundabout that have any traffic movements that travel across the Lancaster Way roundabout and BP Roundabout are impacting the flow of traffic.

3.3 The developments of the Enterprise Zone, North Ely and LIT2 all included contributions to improve the highway network as well contributions to sustainable methods of transport.

### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is the private access road into the Lancaster Way Business Park/Enterprise Zone that connects onto the A142/Witchford Road/Main Street roundabout.

### 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.

#### **City of Ely Council - 14 January 2020**

States:

"The City of Ely Council were very concerned regarding the new road layout in respect of the safety of both pedestrians and cyclists. The application did not address any impact these changes would have on their safety."

#### **City of Ely Council - 25 February 2020**

States:

"The City of Ely Council were concerned regarding the new layout in respect of the safety of both pedestrians and cyclists. The application did not address any impact these changes would have on their safety."

#### **Witchford Parish Council - 9 January 2020**

States:

"Witchford Parish Council objects to the above planning application. The proposed changes to this roundabout will directly negatively impact on pedestrians and cyclists, making it more dangerous for those travelling on foot or by cycle by

doubling the number of carriageways that they have to cross. This will actively discourage persons from using alternative means of travel on the A142 and directly contravenes the following:

- 1) ECDC Local Plan Policy COM7 Transport Impact. Note that the Parish Council challenges paragraph 4.12 of the Planning Statement for this application, which does not address the actual intent of Policy COM7 to reduce the need for car travel.
- 2) ECDC declaration of a Climate Emergency and the commitment 'to develop a costed Environment and Climate Change Strategy and Action Plan, including targets and timescales to reduce carbon emissions and pollution' agreed at the Full Council meeting 17th October 2019
- 3) Cambridgeshire County Council declaration of a Climate and Environment Emergency May 2019 and the development of a Climate Change and Environment Strategy and Action Plan.

The Parish Council does not consider that the proposed works will be effective in improving traffic flow along this section of the A142.

The Parish Council considers that the proposed works will not address the difficulties in accessing the roundabout from Witchford Road leaving Witchford village. This is likely also to increase the number of vehicles making a right-turn into the Witchford Household Waste Recycling Centre.

The Parish Council is very concerned that heavy vehicles approaching from the west along the A142 will be less likely to stop at the roundabout as the proposed changes will straighten out the curve in the road going across the roundabout, which would be more dangerous for other users of the roundabout in particular pedestrians and cyclists.”

**Witchford Parish Council - 12 February 2020**

States:

“Re-modelling of the Lancaster Way Business Park access to A142 roundabout and associated utilities works at Lancaster Way Business Park Site north east of 115 Lancaster Way Business Park

I note that an amendment has been submitted to the above application. Witchford Parish Council has not been consulted on the amendment though it was consulted on the original application. Although the site location is in Ely Parish, the development actually impacts more significantly upon Witchford residents.

Please could you arrange for the amendment consultation documents to be sent to Witchford Parish Council for comment.”

**Witchford Parish Council - 20 February 2020 states:**

“19/01704/FUL

Re-modelling of the Lancaster Way Business Park access to A142 roundabout and associated utilities works at Lancaster Way Business Park  
Site north east of 115 Lancaster Way Business Park

Witchford Parish Council objects to the above application.

The Parish Council challenges this application as pre-judgement of the - as yet unpublished - public consultation on the full improvement scheme of this roundabout. The Parish Council notes that there is no date set for that consultation. The Parish Council considers that determining a planning application on a small part of the overall scheme will prejudice the later consultation.

The Parish Council restates its grounds for objection as previously set out in its email of 9th January 2020, namely:

The proposed changes to this roundabout will directly negatively impact on pedestrians and cyclists, making it more dangerous for those travelling on foot or by cycle by doubling the number of carriageways that they have to cross. This will actively discourage persons from using alternative means of travel on the A142 and directly contravenes the following:

1) ECDC Local Plan Policy COM7 Transport Impact. Note that the Parish Council challenges paragraph 4.12 of the Planning Statement for this application, which does not address the actual intent of Policy COM7 to reduce the need for car travel.

2) ECDC declaration of a Climate Emergency and the commitment 'to develop a costed Environment and Climate Change Strategy and Action Plan, including targets and timescales to reduce carbon emissions and pollution' agreed at the Full Council meeting 17th October 2019

3) Cambridgeshire County Council declaration of a Climate and Environment Emergency May 2019 and the development of a Climate Change and Environment Strategy and Action Plan.

The Parish Council does not consider that the proposed works will be effective in improving traffic flow along this section of the A142.

The Parish Council considers that the proposed works will not address the difficulties in accessing the roundabout from Witchford Road leaving Witchford village. This is likely also to increase the number of vehicles making a right-turn into the Witchford Household Waste Recycling Centre.

The Parish Council is very concerned that heavy vehicles approaching from the west along the A142 will be less likely to stop at the roundabout as the proposed changes will straighten out the curve in the road going across the roundabout, which would be more dangerous for other users of the roundabout in particular pedestrians and cyclists.”

**Cllr Trimarco** – (17 January 2020) States:

“I am writing to you to express my objection to the changes proposed for the Lancaster Way roundabout.

I am disappointed to see that the Feasibility Assessment does not take into account the safety of pedestrians and cyclists. Such a development would negatively impact walking and cycling at a time when we are in a climate and ecological emergency and trying to encourage people not to use their cars.”

**Cllr Christine Whelan** (28 January 2020)

States:

“There have been objections from two parish councils to this application, which assumes the implementation of proposals to remodel the Lancaster Way roundabout, and is in some way intended to contribute to them.

City of Ely Council has objected, saying “The City of Ely Council were concerned regarding the new layout in respect of the safety of both pedestrians and cyclists. The application did not address any impact these changes would have on their safety.”

Witchford Parish Council has objected saying that this application “The proposed changes to this roundabout will directly negatively impact on pedestrians and cyclists, making it more dangerous for those travelling on foot or by cycle by doubling the number of carriageways that they have to cross. This will actively discourage persons from using alternative means of travel on the A142.”

The council having just declared a climate emergency and in view of the objections from the two most affected parish councils it would in my view be right for the application to be determined by the Planning Committee. It is hard to see how these plans, taken overall, give the ‘privilege’ to walking, cycling and other active modes of transport that the Combined Authority’s Local Transport Plan promises.”

**County Councillor, Lorna Dupre** - (28 February 2020) Supports the call in by Cllr Whelan.

**Local Highways Authority** – 14 January 2020

States:

“It has been explained to me by the planning officer that the only works proposed on the highway within this application are on the eastern kerb radii. The redline boundary should therefore be moved to incorporate the proposed area of works only so that it can be conditioned accordingly.

Otherwise I would have no objections in principal to this application.

Informatives

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.”

18 February 2020

States:

“After a review of the amended redline boundary to denote and show the works proposed within the highway and on private land I have no further objections. Proposed are some very minor realignment works of the kern lines in the highway. This application includes only small works to the Central Island and the eastern kerb radii of Lancaster Way, if permitted this will have no negative impact on the existing crossing facilities. Any other works or information shown on the drawings do not form part of the permissions being sort by the applicant and are outside of the remit of the planning process.

#### Informatives

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 any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.”

#### **Cadent Gas Ltd - 23 December 2019**

States:

“An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-beforeyou-dig>) or the enclosed documentation.

#### Are My Works Affected?

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.”

30 January 2020

States:

“Your works are in close proximity to our intermediate pressure gas pipeline therefore a Cadent technician is required to be on site to observe the works and ensure that you are in compliance with the attached SSW22.

Please provide detailed drawings and cross sections so that I can assess in more detail.”

#### **Ely Cycle Campaign - 20 January 2020**

States:

“The Ely Cycling Campaign strongly objects to the proposed plans as the extra lanes on the Lancaster Way and on the A10/A142 (BP) roundabouts will make crossing near impossible for pedestrians and cyclists. Is a child walking or cycling to school supposed to run across two lanes with 60mph traffic?

Both roundabouts now have too much traffic to be crossed safely and need bridges or underpasses, otherwise people without cars will essentially be cut off.

The proposed cycle lanes along Angel Drove and the A10 bypass (BP to Cambridge Road) are pointless, don't go anywhere, don't link up with anything and stop at the important points (side roads and junctions) and the money should not be wasted on a half baked scheme like this.

If you have available funds as part of this scheme then use the money to build bridges across the A10 and the A142 or even for a short section of high quality Dutch style cycling infrastructure on Angel Drove so people can access the business park easier by foot and by bike. Focus your limited funds for active travel on high-quality infrastructure in places where people actually want to go!

What is the point of declaring a climate emergency and then making CO2-free travel nearly impossible while increasing capacity for cars?”

2 March 2020

It states:

“The grounds for objection as set out in the Campaign email of 19th January 2020 have not been addressed in the Amendment.

The Campaign objects to this proposal particularly because it would still make walking and cycling even less attractive and less safe on this route than it is now. Any increase in motor vehicle traffic, for instance by making walking and cycling more difficult and causing a switch to travel by motor vehicle, would result in increased carbon dioxide and particulates.

Section 10.1 of the applicant's submitted 2018 Feasibility Report promises improvements or adjustments at this roundabout to mitigate the adverse effects of changes on walking and cycling. A bridge over or an underpass under the A142 at this point is essential. An improvement for walking and cycling at the A10 crossing on this route is also essential.”

**The Ely Group of Internal Drainage Board - 8 January 2020**

This application for development is outside of the Littleport and Downham Internal Drainage District but within an area that drains into it.

The Board has no comment to make from a drainage point of view.

**Emma Grima, Director (Commercial)** - No Comments Received. Though consulted to ensure they were informed of the application's submission.

**Minerals and Waste Development Control Team** - No Comments Received

**Infrastructure & Strategy Manager - ECDC** - No Comments Received. Though consulted to ensure they were informed of the application's submission.

**Economic Development** - No Comments Received

5.2 Neighbours – A site notice was put up on the 19 December 2019 and a notice placed in the press on the 2 January 2020. 11 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

31 Cathedral View Park, Witchford – (15 January 2020) Objects to the proposal as it will make cycling and walking into Ely more dangerous. The proposal conflicts with before East Cambs and County Council policies to reduce the reliance on private vehicles and promote sustainable transport.

(11 February 2020) Continues to object to this application.

(23 February 2020) Continues to object to this application and seeks public money to be spent to improve the A142/A10 (BP) Roundabout.

9 Elm Close, Witchford – (18 January 2020) Proposal goes against the Climate Emergency declared by both District and County Councils.

The roundabout should be made safer for pedestrians and cyclists.

(11 February 2020) Objects to the proposal as it reduces highway safety without reducing congestion issues.

28 Short Road, Stretham – (21 January 2020) Objects to the proposal on the grounds of safety, goes against policy and pollution.

Proposal will speed up vehicles to the detriment of pedestrians crossing.

The increase in commuter traffic and stationary motor vehicles will increase air pollution.

Need to invest in public transport and active travel.

(1 March 2020) Amendment does not overcome concerns raised.

7 Castlehythe, Ely – (17 January 2020) Objects to the proposal as it adds to the risks of cyclists, pedestrians and equestrians. Provides significant detail on how the proposal will detrimentally harm equestrians.

Believes the traffic flow assessment date to be out of date.

States while there is a need to deal with traffic congestion in this area it is more important to consider eco friendly means of transport.



3 Broadway, Witchford – (27 January 2020) Proposal will make it harder for pedestrians and cyclists. Without a better bus service this will lead to more pollution.

The current problem is the backing up of traffic from the A142/A10, if this is sorted it would possibly take care of this roundabout.

A safe crossing of the A142/A10 is also needed as soon as possible.

Richard Designs Ltd, 115 Lancaster Way – (28 February 2020) Is supportive of the proposed works, as it will reduce queueing for the roundabout.

However, objects to the wider scheme to improve the roundabout as it has completely disregarded the impact on pedestrians and cyclists. This will put at risk their employees, as well as reducing the number of people commuting by sustainable means.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
COM 7	Transport impact
COM 8	Parking provision
ELY 11	Employment allocation, Lancaster Way

### 6.2 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 6 Building a strong, competitive economy
- 9 Promoting sustainable travel
- 14 Meeting the challenge of climate change, flooding and coastal change

## 7.0 PLANNING COMMENTS

### 7.1 Background

7.2 There are a number of existing problems in regards to Lancaster Way and A10/A142 ('BP roundabout') Roundabouts, which officers have been involved with and have been looking at ways to rectify them.

7.3 When assessing the applications and the impacts of North Ely and Lancaster Way Enterprise Zone (EZ) the County did not consider the impacts in tandem. This has led to conflicting contribution requirements in their individual S106s in regards to the BP roundabout. Lancaster Way EZ needs to carry out direct works to the BP Roundabout, while North Ely is providing a financial contribution. Approximately 3

and a half years ago the Local Highways Authority commented that the two individual S106s were conflicting as the North Ely money would be required to undue to the works Lancaster Way EZ would have carried out. Since this time the Local Planning Authority and County Council have been seeking to rectify this with the involvement of the owners of the EZ.

- 7.4 Main Street Witchford has approximately the same amount of traffic using it as the A142, in short Main Street is acting as a bypass for the A142 to Lancaster Way roundabout. The slower the traffic running along the A142 to the roundabout, the more Main Street will be used as a bypass in order to get priority on the Lancaster Way roundabout.
- 7.5 The BP roundabout is already operating above capacity with planned development and even with all secured and proposed contributions to this roundabout, it is likely only gaining approximately 2 -3 years' worth of capacity (this will provide retrospective capacity, thus a visible improvement in traffic flow is unlikely to be noticed) and this is at a cost approximately £1.5 million. To gain future capacity the long term future changes to the A10 will be considered by the Combined Authority as part of the A10 Strategic Transport Project.
- 7.6 Lancaster Way EZ is offering approximately £900,000 (with grant funding from the Mayor of the Combined Authority) for the BP roundabout. The Lancaster Way roundabout improvements can secure funding through the Community Infrastructure Levy, as it forms part of the Council's Infrastructure List.
- 7.7 All the above has led to a situation where the EZ is trying to find ways to overcome the highways issues, which they have been seeking to do since approximately the end of 2016, so that it can continue to offer new employment. The final detailed costs and other information from Skanska (County Councils preferred contractor) are still awaited.
- 7.8 It also needs to be considered that any other substantial sized development in villages such as Sutton, Witchford or Littleport are likely to provide a significant burden on Lancaster Way and BP Roundabouts.
- 7.9 At present there is no fully costed plan to provide future capacity in the A142/A10 road network in Ely/Witchford. With the additional growth in the area, this will likely lead to the regular failure of the Lancaster Way/BP roundabouts during rush hour traffic.
- 7.10 Principle of Development
- 7.11 This proposed development forms a small part in the progression of an overall solution to the existing problems. It is not envisaged that this element of work in isolation will overcome the issues, though could be implemented individually.
- 7.12 With the proposal seeking to widen the existing vehicular entrance/exit into a private road that serves Lancaster Way Business Park/Enterprise Zone to an existing roundabout there is no concern over the principle of the development.
- 7.13 Sustainability

- 7.14 Sustainable development in the planning process is balancing all policies within the NPPF and the Adopted Local Plan. This is required to ensure the social, environmental and economic threads of sustainability all having equal weight in the determination process. The majority of the concerns raised in relation to this proposal relate to its sustainability, in particular pedestrian and cycle movements.
- 7.15 The proposal seeks to widen the vehicular entrance by approximately 20 cm where pedestrians and cyclists will be crossing the highway in an east – west direction. This is extremely unlikely to discourage cyclists or pedestrians moving between Witchford and Ely. The wider improvements are designed to primarily improve both traffic flow and capacity. However, the implications of this are outside the scope of this application and not material in the determination of this proposal.
- 7.16 In the case officer's view the usage of cars and sustainability is no longer a simple argument. With greater numbers of cars becoming electric or hybrid and the long term plan for all cars to be electric then cars might become one of the most sustainable methods of transport over larger distances. However, this relies on both how renewable the National Grid is and the national infrastructure requirements to allow for the charging up of electric vehicles. It is self-evident that cars are currently an unsustainable method of transport.
- 7.17 If Lancaster Way Enterprise Zone is no longer able to expand then it is likely that people will have to travel further to find places of work; this may or may not be via sustainable methods of transports.
- 7.18 The developer has sought to work with County Council outside of this application in order to provide a working bus stop within the business park. To promote other means of accessing the site the developer has worked with the District Council and now the Ely Zipper Bus Service collects and drops off passengers (specifically from the train station).
- 7.19 The requirements of the Climate Emergency will require a complete change on how humans respond to the Earth; as either the rapid change to climate caused by humans will create a more hostile/unpredictable climate or humans will have to radically change their diet (in both senses of the definition: food/activities) and provide a continuous fight against climate change.
- 7.20 With the minor works proposed as part of this application, likely having little effect on pedestrian or other non-motorised car users and the wider works designed to reduce the congestion of the past 2-3 years traffic generation it would not be reasonable to refuse this application under policy COM7.
- 7.21 Highways
- 7.22 The Local Highways Authority have raised no concerns in regards to highway safety following the amended plans and the view of the Local Highways Authority is accepted.
- 7.23 It would be unreasonable to refuse this application on highway safety concerns based upon the latest drawings showing the offsite works within the public

highway, which do not form part of this application. The Local Planning Authority does not determine highway improvements within the public highway and would be going beyond its remit if it was to make a determination on road improvements.

- 7.24 The proposal is considered to comply with policy COM7 of the Adopted Local Plan.
- 7.25 Other matters
- 7.26 It is accepted that the suggested 6 year implementation request will allow the works be started at any time during the life of the expansion of the EZ.
- 7.27 Cadent Gas have commented on the proposal and advised that a Cadent Technician is required on site to observe construction works and ensure they comply with standards. An informative will be added to the decision notice to ensure that the applicant is aware.
- 7.28 Planning Balance
- 7.29 The proposed relative minor changes to the existing entrance to Lancaster Way Business Park is considered to be acceptable, as it will have no detrimental impact upon the safety of highway users or noticeable impact on the amount of people likely seeking to travel by sustainable means. The proposal will also help promote and accommodate the growth of the EZ for the foreseeable future.
- 7.30 The works shown outside the red line are not part of this application and are fully within the domain of Cambridgeshire County Council to determine. Works outside of the red line do not form part of this application.
- 8.0 APPENDICES
- 8.1 Appendix 1 – Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
19/01704/FUL	Andrew Phillips Room No. 011 The Grange Ely	Andrew Phillips Planning Team Leader 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.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 19/01704/FUL Conditions

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

Plan Reference	Version No	Date Received
HGN-LW-DR-CH-101	P1	9th December 2019
5020235-SKA-LLO-LW-DR-CH-101		P2.0 4th February 2020

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 6 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.