



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,  
ELY, CAMBRIDGESHIRE CB7 4EE  
Telephone: 01353 665555

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## MEETING: **PLANNING COMMITTEE**

TIME: 2:00pm

DATE: Wednesday, 1st August 2018

VENUE: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

ENQUIRIES REGARDING THIS AGENDA: Janis Murfet

DIRECT DIAL: (01353) 665555 EMAIL: [Janis.murfet@eastcamb.gov.uk](mailto:Janis.murfet@eastcamb.gov.uk)

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<b>Conservative Members</b>	<b>Liberal Democrat Members</b>	<b>Independent Members:</b>
Cllr Joshua Schumann (Chairman) Cllr Mike Rouse (Vice- Chairman) Cllr Christine Ambrose Smith Cllr David Chaplin Cllr Paul Cox Cllr Lavinia Edwards Cllr Mark Goldsack Cllr Bill Hunt Cllr Stuart Smith	Cllr Sue Austen (Spokes)	Cllr Derrick Beckett
<b>Substitute Members</b> Cllr Elaine Griffin-Singh Cllr Neil Hitchin Cllr Lisa Stubbs	<b>Substitute Members</b> Cllr Lorna Dupré Cllr Christine Whelan	<b>Substitute Members</b> -
<b>Lead Officers:</b> Jo Brooks, Director, Operations Rebecca Saunt, Planning Manager		
<b>Quorum:</b> 5 Members		

**PLANNING COMMITTEE TO MEET IN RECEPTION AT THE GRANGE AT 9.20am**  
(Please note site visit timings are approximate)

## A G E N D A

1. Apologies and Substitutions

[oral]

2. **Declarations of Interest**  
To receive declarations of interest from Members for any Items on the Agenda in accordance with the Members Code of Conduct **[oral]**
  
3. **Minutes**  
To receive and confirm as a correct record the Minutes of the Planning Committee meeting held on 4<sup>th</sup> July 2018
  
4. **Chairman's Announcements** **[oral]**
  
5. **17/01857/FUL**  
Construction of new 4 bedroom house with garaging and associated site works.  
Land North of 14 New River Bank, Littleport  
Applicant: Mr Ray Miller  
Site Visit: 9:30am
  
6. **18/00276/FUL**  
Replacement dwelling, annexe, revised access and triple carport.  
26 Mill Street, Isleham, CB7 5RY  
Applicant: Mr & Mrs James Parr  
Site Visit: 10:10am
  
7. **18/00363/OUM**  
Outline planning permission with all matters reserved except for access for the erection of up to 125 dwellings including affordable housing, land to be reserved for nursery use (Use Class D1), open space including an extension to the recreation ground, play areas, sustainability drainage features and associated infrastructure including foul sewage pumping station.  
Land Accessed Between 2 and 4 Fordham Road, Isleham  
Applicant: Bloor Homes Eastern  
Site Visit: 10:25am

8. **18/00448/FUL**

Demolition of existing outbuildings to allow for proposed residential development comprising of three bedroom two storey dwelling, along with access, parking & associated site works.

Land Adjacent 20 Broad Piece, Soham, CB7 5EL

Applicant: Mr J Fenn & Mrs V Stoneham

Site Visit: 11:45am

9. **18/00660/FUL**

Two storey extension to existing house.

13 Dovehouse Close, Ely, CB7 4BY

Applicant: Mr Nick Green

Site Visit: 12.10pm

10. **18/00667/OUT**

Detached house and garage.

45 East Fen Road, Isleham, CB7 5SW

Applicant: Mr Ivan Cox

Site Visit: 10:00am

11. **18/00707/VAR3M**

To vary Condition 1 and Condition 7 of previously approved 16/01159/FU3 for change of use to car park, together with a footpath link from existing car park and associated external works.

Site South East of former Bowling Alley, The Dock, Ely

Applicant: East Cambridgeshire District Council

Site Visit: 12 Noon

12. **18/00737/FUL**

Erection of two detached single storey dwellings.

Land south east of The Bungalow, Abbey Lane, Swaffham Bulbeck

Applicant: Ms Nicola Bartram

Site Visit: 11.20am

13. **18/00749/FUL**

Demolish existing bungalow and replace with four bed dwelling and car port.

Sidings Farm, Ely Road, Prickwillow, CB7 4UJ

Applicant: Mr & Mrs A Hopkin

Site Visit: 9:40am

14. **EXT/00011/18**

SOUTH CAMBS – Outline planning permission( (with all matters reserved) for development of up to 4500 dwellings, dwellings business, retail, community, leisure and sports uses; new primary and secondary schools and sixth form centre; public open spaces including parks and ecological areas; points of access, associated drainage and other infrastructure, groundworks, landscaping and highway works.

Land adjacent to Waterbeach Barracks & Airfield Site, Waterbeach

Applicant: RWL Estates

Site Visit: No site visit

15. **Planning Performance Report – June 2018**

1.	<p>Members of the public are welcome to attend this meeting. If you are visiting The Grange during normal office hours you should report to the main reception desk, where you will be asked to fill in a visitor's pass that must be worn at all times whilst you are in the building. Please remember to return your pass before you leave.</p> <p>This will not apply if you come to an evening meeting: in this case you will enter via the rear access doors in the glass atrium at the back of the building and a Facilities Assistant will direct you to the room in which the meeting will take place.</p> <p><b>The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints, this will normally give a capacity for public attendance of 60 people plus Applicants, Agents, the Press and Registered Speakers.</b></p> <p><b>Admittance to the Council Chamber is on a "first come, first served" basis and public access will be from 30 minutes before the start time of the meeting.</b></p> <p>There are a number of schemes aimed at encouraging public participation in the Council's activities and meetings. These include public question times and a process to enable petitions to be submitted. Details of these can be obtained by calling any of the telephone numbers below or by logging onto the Council's website.</p>
2.	<p>Fire instructions for meetings:</p> <ul style="list-style-type: none"> <li>▪ If the fire alarm sounds please make your way out of the building by the nearest available exit - i.e. the back staircase or the fire escape in the chamber. Do not to use the lifts.</li> <li>▪ The fire assembly point is in the front staff car park by the exit barrier.</li> <li>▪ This building has an auto-call system to the fire services, so there is no need for anyone to call the fire services.</li> </ul> <p>The Committee Officer will sweep the area to ensure that everyone is out of this area.</p>
3.	<p>Reports are attached for each agenda item unless marked "oral".</p>
4.	<p>If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail: <a href="mailto:translate@eastcambs.gov.uk">translate@eastcambs.gov.uk</a></p>
5.	<p>If the Committee wishes to exclude the public and press from the meeting a resolution in the following terms will need to be passed:</p> <p>"That the press and public be excluded during the consideration of the remaining items no. X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories X Part I Schedule 12A to the Local Government Act 1972 (as Amended)."</p>

**MAIN CASE**

**Reference No:** 17/01857/FUL

**Proposal:** Construction of new 4 bedroom house with garaging and associated site works.

**Site Address:** Land North Of 14 New River Bank Littleport Cambridgeshire

**Applicant:** Mr Ray Miller

**Case Officer:** Oli Haydon, Planning Officer

**Parish:** Littleport

**Ward:** Littleport East  
Ward Councillor/s: Councillor David Ambrose-Smith  
Councillor Jo Webber

**Date Received:** 16 October 2017      **Expiry Date:** 3<sup>rd</sup> August 2018

[T68]

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**1.0      RECOMMENDATION**

1.1      Members are recommended to REFUSE this application for the following reasons:

1.      The proposed dwelling is located within the countryside and, by virtue of its distance from the main settlement of Littleport, is considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of this additional dwelling will be reliant on motor vehicles in order to access any local services or facilities. The proposal does not meet any of the special circumstances as identified in Paragraph 55 of the National Planning Policy Framework. The proposal fails to comply with Policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015, LP1 and LP17 of the Submitted Local Plan 2017 and Paragraphs 14 and 55 of the National Planning Policy Framework, as it fails to promote sustainable development.
  
2.      Located within open countryside and remote from the development envelope of any settlement, the proposal would be a visually intrusive form of development that would cause demonstrable harm to the character of the rural landscape and its setting within the surrounding countryside contrary to the requirements of Policies ENV1 & ENV2 of the East Cambridgeshire Local Plan and LP28 and LP22 of the Submitted Local Plan 2017 and, paragraphs 14 and 17 of the National Planning Policy Framework.

- 3 The proposed dwelling, which is classified as a 'more vulnerable' development in Table 2 of the NPPF Planning Practice Guidance, would be sited within Flood Zone 3 as identified by the Environment Agency flood zone maps, where the Sequential Test must be passed for the development to be approved. The application fails to pass the Sequential Test as there are reasonably available sites elsewhere within the Parish of Littleport with a lower probability of flooding and is therefore contrary to Policy ENV 8 of the East Cambridgeshire Local Plan and LP25 of the Submitted Local Plan 2017, the Cambridgeshire Flood and Water SPD, the provisions of the PPG on Flooding and Coastal Change and the National Planning Policy Framework.

## **2.0 SUMMARY OF APPLICATION**

- 2.1 Full planning consent is being sought for the construction of a four bedroom house on land North of 14 New River Bank, Littleport. The proposed development features a wildlife pond, vegetable beds, fruit orchard and a raised platform on which to site the contemporary dwelling.
- 2.2 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.**
- 2.3 The application was called-in to Planning Committee by Cllr David Ambrose Smith as *"this parcel of land, which sits on the roadside between a domestic dwelling and an agricultural dwelling, is not suitable for farming as it is not accessible to large machinery, and has become vulnerable to fly tipping and unauthorised occupation. Whilst I appreciate that this parcel of land is outside the development envelope, the application submitted is for a contemporary Eco Home for the family to live in, and I believe the application meets the requirements of Para 55 of the NPPF to provide a property of high quality and innovative design which is classified as 'special circumstances'. Littleport Parish Council have no objections to this contemporary home"*.

## **3.0 PLANNING HISTORY**

- 3.1 No relevant planning history.

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

- 4.1 The site comprises an open field located outside the development envelope for Littleport and within Flood Zone 3. The site is located between Riverside Farm and the dwelling at Number 14, to the north-east of the main settlement of Littleport.

## **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.

**Environment Agency** – *“Following the submission of a revised Flood Risk Assessment: The site is within Flood Zone 3 of our Flood Map for Planning (Rivers and Sea). In accordance with the National Planning Policy Framework (NPPF) paragraph 101, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this. By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that our response to the submitted detail should not be taken to mean that we consider the proposal to have passed the Sequential Test. Review of Flood Risk Assessment (FRA)*

We no longer have an objection to this application, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) prepared by Ambiental, reference 3571, dated May 2018 are adhered to. It states:

- The ground floor shall be used for non-habitable rooms only;
- The proposed dwelling shall be constructed atop a raised bund, 1000 mm above existing ground levels.

The submitted FRA has provided a site-specific breach analysis for the proposed development. The FRA indicates that the development could flood to a depth of 2.35 metres should a localised breach occur during a 1% AEP event including 35% climate change. Any responsibilities for this submitted hydrological and hydraulic assessment is with the applicant.”

**Consultee For Other Wards In Parish - No Comments Received**

**Littleport Parish Council** – No objections raised.

**Ward Councillors** – Cllr David Ambrose Smith: “I would like to call this application for consideration by the planning committee. Reason for Call-in: This parcel of land, which sits on the roadside between a domestic dwelling and an agricultural dwelling, is not suitable for farming as it is not accessible to large machinery, and has become vulnerable to fly tipping and unauthorised occupation. Whilst I appreciate that this parcel of land is outside the development envelope, the application submitted is for a contemporary Eco Home for the family to live in, and I believe the application meets the requirements of Para 55 of the NPPF to provide a property of high quality and innovative design which is classified as 'special circumstances. Littleport Parish Council have no objections to this contemporary home.

**The Ely Group Of Internal Drainage Board** - The IDB lift their objection on the basis that surface water will be retained on site and the agent is applying for IDB consent for foul drainage.

5.2 **Neighbours** – Site notice posted, advert placed in the Cambridge Evening News and one neighbour notified – One response received:



- The driveway should be relocated to avoid vehicles blocking neighbouring driveway
- Space should be left to allow for a cherry picker to maintain the neighbouring trees and ensure the drainage dyke is unaffected.
- Risk of refuse being tipped onto the site if left unattended.

## **6.0 The Planning Policy Context**

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
COM 7	Transport impact
COM 8	Parking provision

### 6.2 Supplementary Planning Documents

Design Guide  
 Developer Contributions and Planning Obligations  
 Flood and Water

### 6.3 National Planning Policy Framework 2012

7 Requiring good design  
 11 Conserving and enhancing the natural environment  
 10 Meeting the challenge of climate change, flooding and coastal change

### 6.4 Submitted Local Plan 2017

LP3	The Settlement Hierarchy and the Countryside
LP16	Infrastructure to Support Growth
LP1	A presumption in Favour of Sustainable Development
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP22	Achieving Design Excellence
LP30	Conserving and Enhancing Biodiversity and Geodiversity
LP25	Managing Water Resources and Flood Risk
LP26	Pollution and Land Contamination

## **7.0      PLANNING COMMENTS**

7.0.1      The main issues to consider when determining this application relate to the principle of development, flood risk, the impact upon character and appearance of the area, residential amenity, highways safety and other matters.

### **7.1      Principle of development**

7.1.1      The application site lies outside of the defined development boundary. The development of the site for housing would therefore conflict with Policy GROWTH 2 and LP3 of the East Cambridgeshire Local Plan 2015 and Submitted Local Plan 2017 which seeks to focus new housing development within defined settlement boundaries. However, as the council cannot currently demonstrate a five year land supply for housing, policies GROWTH 2 and LP3 cannot be considered up to date in so far as it relates to supply of housing land.

7.1.2      In this situation the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.

7.1.3      Paragraph 55 of the NPPF states that isolated new homes in the countryside should be avoided unless there are special circumstances. This site is considered to be isolated from any built settlement, being approximately 0.5 miles from the nearest settlement of Littleport and a further 1 mile from the main services and facilities on offer in the town. The site is located in an isolated, rural location. It is therefore considered to be an unsustainable location for the erection of a new dwelling, similar to the conclusions of the Inspector in a recent appeal decision which forms a material consideration to be given significant weight in determining this application.

7.1.4      The appeal decision bears similarities with this proposal and followed the refusal by the Planning Committee for two dwellings at 14 The Cotes, located 1.8 miles north of Soham, in an isolated cluster of dwellings.

7.1.5      The recently received appeal decision for The Cotes in Soham (APP/V0510/W/16/3143840) cited the location as unsustainable due to the reliance on the car. The appeal stated that *“both (sites) would be reliant on the car to gain access to services and facilities. This would not accord with the Framework or the environmental dimension of sustainable development”* and *“the isolation of the sites from community facilities would weigh against the social dimension and would not accord with paragraph 55 of the Framework regarding the location of rural housing”*. Furthermore, the appeal also stated *“given the distance of the sites from local facilities and the unsuitability of the road for pedestrian access, I conclude on this issue that the occupiers of the proposed dwellings would be highly reliant on the car to gain access to services and facilities”*. As previously stated, the Cotes is approximately 1.8 miles to the centre of Soham, and this application site is approximately 0.5 miles from the edge of Littleport and approximately 1 mile from the centre of Littleport where local shops and services are located. Members are also aware of subsequent appeal decisions in Little Downham and Isleham relating to unsustainable locations and

reliance on the private motor vehicle (APP/VO510/W/3158114 and APP/VO510/W/3160576 respectively).

- 7.1.6 It is considered that the proposal is contrary to Local Plan policy COM7 which requires that development is designed to reduce the need to travel, particularly by car, and to promote sustainable forms of transport. This site is located 1 mile from the centre of Littleport with no suitable and safe pedestrian connections to town and, as such, the Local Planning Authority view it as isolated and unsustainable as there are a number of sites within Littleport which are in a more sustainable location and are either allocated for development or could be windfall sites.
- 7.1.7 The Local Planning Authority have recently received a further appeal (APP/VO510/W/17/3173190) relating to sustainability. While the appeal was allowed it is considered that as the site was previously developed, it carries little weight in determining this application as this site is undeveloped agricultural land. In any event each site needs to be treated and assessed on its own individual merits.
- 7.1.8 This proposal differs from residential permissions granted in the small rural settlements in the District. This is due to the fact that encouraging growth at these rural sites will improve their sustainability and since they are presently reliant on nearby villages and reliant on the car already; the introduction of new dwellings ultimately helps their long-term sustainability and keeps these communities alive. This proposal, while in the parish of Littleport is located a considerable distance from the main settlement. The NPPF supports this by stating in paragraph 55 that development can support services in a village nearby and that isolated new homes in the countryside should be resisted unless there are special circumstances.
- 7.1.9 The applicant has put a case forward to demonstrate that such 'special circumstances' have been met. The proposed design is contemporary and the site contains several unique features including a wildlife pond and fruit orchard. The materials proposed are a mix of render, metal sheeting and timber cladding. The stringency of NPPF Paragraph 55 requires that proposals heighten the distinctive characteristics of the locality and represent a significant enhancement to the landscape. What constitutes a truly outstanding design is, to some degree, a subjective matter, however, it is considered that whilst some of the characteristics of the design, the limited energy-saving benefits and the landscape features proposed would have a beneficial effect on the landscape, this does not represent a significant enhancement, exceptional circumstance or degree of innovation to counterbalance the harm caused by the siting of a dwelling in an unsustainable location.

## **7.2 Residential Amenity**

- 7.2.1 The proposed dwelling would be distanced sufficiently from any neighbouring residential properties such that no loss of amenity would occur from overlooking. The site also creates sufficient space to accommodate the dwelling with an acceptable level of amenity as set out in the SPD Design Guide.
- 7.2.2 Whilst the proposal would be 7.1m high and raised on a 1m high platform, the isolation of the site from neighbouring development would result in an acceptable level of overbearing and minimal loss of light.

## **7.3 Flood Risk**

- 7.3.1 Paragraph 14 of the NPPF makes it clear that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 7.3.2 The NPPF requires that a sequential approach is taken to the location of development, based on Flood Zones, and development should as far as possible be directed towards areas with the lowest probability of flooding. The NPPF requires Local Planning Authorities to steer new development to areas at the lowest probability of flooding by applying a Flood Risk Sequential Test. The Local Planning Authority must determine whether the application site passes the NPPF Sequential Test.
- 7.3.3 The application site is located within Flood Zone 3, defined within the NPPF Planning Practice Guidance as having a 'high probability' of flooding. The development type proposed is classified as 'more vulnerable', in accordance with Table 2 of the NPPF Planning Practice Guidance. Table 3 of the NPPF Planning Practice Guidance makes it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted unless the development is necessary.
- 7.3.4 Paragraph 101 of the NPPF states that development should not be permitted if there are other reasonably available sites appropriate for the proposed development, located in areas with a lower probability of flooding.
- 7.3.5 Policy ENV8 of the East Cambridgeshire Local Plan 2015 and LP25 of the Submitted Local Plan 2017 both state that the Sequential Test and Exception Test will be strictly applied across the district and new development should normally be located in Flood Risk Zone 1. In respect of this application, the Sequential Test would need to demonstrate that there are no other reasonably available sites within the Parish of Littleport suitable for the erection of a single dwelling which is outside of Flood Zone 3.
- 7.3.6 A Flood Risk Sequential Test has not been submitted by the applicant; the FRA states that the Local Planning Authority are to conduct this test. However, the Flood and Water SPD states this should be completed by the applicant. In the absence of one the LPA have considered the requirements of the Sequential Test. There are a number of allocated sites for housing within the Parish of Littleport, as specified within the East Cambridgeshire Local Plan 2015 and Submitted Local Plan 2017. In addition, a number of planning applications for new dwellings have recently been approved in more sustainable locations within the Parish of Littleport and windfall sites not within Flood Zone 3 are also available. It is therefore considered by the Local Planning Authority that there are a number of other reasonably available sites for the erection of a single dwelling within the Parish of Littleport which are at a lower probability of flooding. Therefore, the proposed additional dwelling is not

necessary in this location and the application fails the Sequential Test for this reason.

- 7.3.7 It should also be noted that the adopted Cambridgeshire Flood and Water SPD advises that applications for sites in Flood Zone 2 and 3 where there is no Sequential Test information provided will be deemed to have failed to Sequential test.
- 7.3.8 Had the Sequential Test been passed the Exception Test should then be applied, guided by the submitted Flood Risk Assessment.
- 7.3.9 The exception test requires the development to demonstrate that it provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and a site-specific flood risk assessment must also demonstrate that the development will be safe for its lifetime taking into account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce overall food risk, Both elements need to be passed for development to be allocated or permitted under paragraph 102 of the NPPF.
- 7.3.10 The application fails to demonstrate that the dwelling provides wider sustainability benefits to the community that outweigh flood risk and therefore fails part one of the exception test. However, the Environment Agency have advised they have no objections to part two of this test providing conditions are applied.
- 7.3.11 As the proposal fails to pass the Sequential Test it is considered to unnecessarily place a dwelling in an area at significant risk of flooding, contrary to Policy ENV8 of the East Cambridgeshire Local Plan 2015, LP25 of the Submitted Local Plan 2017, the provisions of the PPG on Flooding and Coastal Change, the Cambridgeshire Flood and Water SPD, and the National Planning Policy Framework.

## **7.4 Visual Amenity**

- 7.4.1 The area surrounding the application site is rural in nature, with the application site bordered by a farm to the north, agricultural fields to the east, the river to the west and sporadic dwellings to the south.
- 7.4.2 Policy ENV1 of the East Cambridgeshire Local Plan 2015 and LP28 of the Submitted Local Plan 2017 requires new development proposals to demonstrate that their location creates positive, complementary relationships with existing development and protects, conserves, and where possible enhances space between settlements and their wider landscape setting. Furthermore, Policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017 requires all new development proposals to respect the landscape of the surrounding area and ensure the location of buildings relates sympathetically to the surrounding area. The NPPF also seeks to protect the intrinsic character and beauty of the countryside.
- 7.4.3 The proposed dwelling will not occupy more than a third of the plot size, in line with the guidelines of the SPD Design Guide. The dwelling would have a unique appearance, utilising a range of materials from render, metal roofing and timber

boarding. The dwelling would be 7.1m in height and 19m in width and raised on a 1m platform for the purposes of flood resilience. The dwelling is situated in a very large site containing vegetable beds, a fruit orchard and a wildlife pond. Although these elements help assimilate the development into its landscape, it must be considered that the site is currently a vacant agricultural field with a contribution to the agricultural and rural aesthetic of the landscape. It is considered that the erection of an additional dwelling would create an urbanising impact which erodes the predominantly rural open character of the area. Furthermore, it is visually intrusive upon the surrounding rural landscape and harmfully impacts on the extensive countryside views present along New River Bank and the surrounding footpaths and byways.

- 7.4.4 On balance, it is therefore considered that the proposed dwelling in this location would cause significant and demonstrable harm to the rural character and appearance of the area, contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, LP22 and LP28 of the Submitted Local Plan and Paragraphs 14, 17 and 56-68 of the NPPF. The development would reinforce the presence of built form within the countryside, appearing overly dominant and stark contrast to its surroundings. Whilst the house would continue the line of existing built development, it would introduce built form into an area that is largely rural and open in character and interrupt key open views into the fen countryside visible from New River Bank.

## **7.5 Other Material Considerations**

- 7.5.1 The Local Highways Authority have raised no concerns with the proposed access arrangement and sufficient parking and turning has been created within the plot.
- 7.5.2 The site would incorporate several biodiversity enhancements to help reduce any net biodiversity impact that the dwelling would have.
- 7.5.3 There are no trees on site that would be impacted upon by the proposal.

## **7.6 Planning Balance**

- 7.6.1 The proposal would provide the following benefits:- the provision of an additional residential dwelling to the district's housing stock which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work. The proposal would also provide limited biodiversity improvements through the creation of the wildlife pond and fruit orchard; this adds limited weight in favour of the proposal.
- 7.6.2 However, it is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused by the siting of an additional dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities. Further harm is caused by the increased risks as a result of an additional dwelling within Flood Zone 3 despite there being reasonably available sites elsewhere with a lower probability of flooding. Finally, the large dwelling would be sited within the open rural countryside and would constitute a visual intrusion that would harm the character of this unspoilt and undeveloped area.

7.6.3 The application is therefore considered to be contrary to this proposal is in conflict with Local Plan policies GROWTH5, ENV1, ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015 and LP3, LP31, LP28, LP22 and LP25 of the Submitted Local Plan 2017 and the Cambridgeshire Flood and Water SPD.

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
17/01857/FUL	Oli Haydon Room No. 011 The Grange Ely	Oli Haydon Planning Officer 01353 665555 oli.haydon@eastca mbs.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>



17/01857/FUL

Land North of  
14 New River Bank  
Littleport



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:1,250



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**MAIN CASE**

**Reference No:** 18/00276/FUL

**Proposal:** Replacement dwelling, annexe, revised access and triple carport

**Site Address:** 26 Mill Street Isleham Ely Cambridgeshire CB7 5RY

**Applicant:** Mr & Mrs James Parr

**Case Officer:** Oli Haydon, Planning Officer

**Parish:** Isleham

**Ward:** Isleham  
Ward Councillor/s: Councillor Derrick Beckett

**Date Received:** 3 April 2018                      **Expiry Date:** 3<sup>rd</sup> August 2018

[T69]

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**1.0      RECOMMENDATION**

1.1      Members are recommended to APPROVE this application 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
- 3    Specified materials
- 4    Construction Times
- 5    Reporting of unexpected contamination
- 6    Boundary Treatments
- 7    Tree Protection Measures
- 8    Biodiversity Measures
- 9    Parking & turning
- 10  Annexe Ownership

**2.0      SUMMARY OF APPLICATION**

2.1      The application seeks consent for a replacement dwelling, annexe and triple carport at 26 Mill Street, Isleham.

2.2      Amendments have been received throughout the course of the application to lower the ridge height, reduce the amount of glazing, relocate the car port to obscure views to the neighbouring dwelling and alterations to the materials proposed.

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.eastcambbs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file**

2.4 The application was called-in to Planning Committee by Cllr Beckett "because of its visibility from the recreation ground. Also possible overlooking neighbouring properties".

### 3.0 **PLANNING HISTORY**

3.1 No relevant planning history.

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

4.1 The 0.25ha (0.64 acre) site is located within the development envelope and Conservation Area for Isleham, to the rear of the large detached dwelling at 24 Mill Street. The existing dwelling on the site is single-storey, with a high pitched-roof, a large garden and a small outbuilding containing a garage and stores.

4.2 Beyond the site to the south is the dwelling at 26A and beyond is the Isleham Recreation Ground; to the west is Isleham Field and a small wooded area. The main services and facilities of the village are located to the north.

### 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.

#### **Isleham Parish Council –**

*Emerging new plans which have already been through at least one stage of public consultation*

The latest ECDC Development Plan has undergone its first round of public consultations, with four sites being identified for the village of Isleham, with a projected number of 188 houses. Seven additional sites have also been identified, which approved would bring in a further 422 houses. If approved this would bring the total number of additional new houses to 610, a 64% increase on the current number of houses in our village.

We also believe that consideration should be given to the substantial number of planning applications made by individuals and property developers above those contained in the Local Plan. Over the last 6 years over 100 new dwellings were permitted by ECDC within our village, with over 40 of these permitted within the last year alone!

*Loss of sunlight*

The proposed development would completely overshadow neighbouring properties and would have a detrimental effect on the amount of light they receive

*Overshadowing / loss of outlook to the detriment of residential amenity*

As above. The significant height of this property would have detrimental effect on the outlook of adjacent properties, particularly those immediately adjacent to this residence,

*Overlooking and loss of privacy*

As above. The significant increase in height of this property would have detrimental effect on the privacy of adjacent properties.

*Highways issues: traffic generation, vehicular access, highway safety*

It can be assumed that the increase in the size of the property would result in increased vehicles and would therefore result in increased risk to other road users and pedestrians, especially as they access Mill Street from a narrow cul-de-sac

*Capacity of infrastructure & Deficiencies in social facilities*

We would deem the current infrastructure of our village to be totally inadequate to accommodate further growth. For example:

- With just two buses each week, Isleham has in effective, no public bus service. There is no rail station and there are no designated cycle routes to or from the village, which is served only by poor rural “B” roads. Private car ownership is a pre requisite for working adults living in Isleham.
- The village Primary school is already at capacity and there are no proposals to extend it. The school will be significantly impacted by the Local Plan and any additional houses such as those proposed for this site will further compound this problem.
- Secondary age students have to travel 5 miles to the nearest secondary school and there is only sparse rural local employment. Carbon private car journeys will therefore have to increase. This flies in the face of the Climate Change Act 2008 which has a target of reducing carbon emissions by at least 80% below 1990 levels by 2050.
- Mobile phone signals and broadband speeds are not reliable enough to enable effective working from home, further compounding traffic problems.
- There is only one small Co-op in the village, serving a current adult population of 1900.
- Village utilities and services are already operating at or above capacity.

*Loss or effect on trees*

We believe from the plans submitted that this development would result in the loss of the large tree to the front of this property. If this is not the case then it would almost certainly be affected by the loss of sunlight and root system

*Effect on listed buildings & conservation areas*

We believe from the plans submitted that this development would result in a detrimental effect to the green area immediately to the west of this new site

*Layout and density of buildings design, visual appearance & finishing materials*

We believe that this is a completely disproportionate proposal and that its massive, scale and layout is completely out of character with surrounding properties. It will also be highly visible from the recreation field, potentially restricting the view of the parish church.

**Ward Councillors** - Cllr Beckett was concerned “because of its visibility from the recreation ground. Also possible overlooking neighbouring properties”.

**Conservation Officer** – No comments to make.

**Local Highways Authority** - The Highways authority has no objection in principal to this application. There is an existing dwelling in-situ and access with the highway. The use and trip generation of this access will not change as a result of this proposal

**Waste Strategy (ECDC)** – No objections subject to informatives.

5.2 **Neighbours** – Four neighbouring properties were notified, a site notice was posted and an advert was placed in the Cambridge Evening News and the one response received is summarised below. A full copy of the responses are available on the Council’s website.

- Inappropriate design – not in-keeping
- Loss of light
- Loss of privacy – not currently overlooked but proposal will significant overlook rear garden and dwelling at 24
- Impact on highway safety
- Impact on trees
- Impact on Conservation Area
- Noise disturbance
- Annexe resembles a second property - Legal access to only one property
- Construction noise and disturbance
- Inadequate landscaping
- Removal of trees
- Loss of view of forest area to rear
- Great Crested Newts in the pond of 24 Mill St

**6.0 The Planning Policy Context**

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
COM 7	Transport impact

- COM 8 Parking provision
- ENV 1 Landscape and settlement character
- ENV 2 Design
- ENV 8 Flood risk
- ENV 9 Pollution
- ENV 7 Biodiversity and geology
- ENV 11 Conservation Areas

## 6.2 Supplementary Planning Documents

### Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Developer Contributions and Planning Obligations

Flood and Water

## 6.3 National Planning Policy Framework 2012

7 Requiring good design

11 Conserving and enhancing the natural environment

12 Conserving and enhancing the historic environment

## 6.4 Submitted Local Plan 2017

LP1 A presumption in Favour of Sustainable Development

LP2 Level and Distribution of Growth

LP3 The Settlement Hierarchy and the Countryside

LP6 Meeting Local Housing Needs

LP22 Achieving Design Excellence

LP25 Managing Water Resources and Flood Risk

LP26 Pollution and Land Contamination

LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views

LP30 Conserving and Enhancing Biodiversity and Geodiversity

LP27 Conserving and Enhancing Heritage Assets

## 7.0 **PLANNING COMMENTS**

7.1 The main considerations with the proposal are the principle of development, residential amenity, visual impact, historic environment, highways, ecology, trees and drainage.

### 7.1 **Principle of Development**

7.1.1 The proposal involves a replacement dwelling within the defined development envelope for Isleham and in close proximity to the services and facilities on offer in the village. As such, the principle of development is considered acceptable.

7.1.2 The proposed annexe element is incorporated well into the main dwelling, through a physical connection at the ground floor utility room. The annexe provides a bedroom, dining room, sitting room and wet room for the applicant's elderly parents

and, by virtue of its physical connection and proximity to the main dwelling, would not be tantamount to the creation of a separate dwelling. The proposal would appear as a reasonable extension to the dwelling and the occupant would share the access, garden and parking areas of the main dwelling. The subordination in size also adds weight in favour of the annexe and further reinforces the conclusion that this does not constitute the creation of a new dwelling. A condition will be applied to any permission to ensure that the annexe remains ancillary to the main dwelling, 26 Mill Street.

## **7.2 Visual Amenity & Heritage Impact**

- 7.2.1 The proposal involves the replacement of the existing bungalow on the site, 6.1m in height with a footprint of approximately 110sqm with a large dwelling and attached single-storey annexe; the dwelling represents a maximum of 7m in height (ridge), 25.4m in width and 14.9m in depth. The proposal includes a triple carport, 10m in width, 5m in height (ridge) and 6.5m in depth. The dwelling features two gable ends, with a large amount of glazing in the central element. The single-storey annexe is attached to the dwelling by way of a rear lobby.
- 7.2.2 The proposed dwelling represents a significant increase in width, depth and footprint from the existing dwelling, albeit a small increase in overall ridge height. Despite this, the plot size for the development is substantial, with the new dwelling (278sqm) representing a site coverage of 10%, well within the recommended plot coverage of 33% as cited in the SPD Design Guide 2012.
- 7.2.3 The proposal represents a density of 4 dwellings/ha (1.5 dwellings/acre) with the surrounding development having a density of 6.5 dwellings/ha (2.6 dwellings/ha). It is considered that the dwelling's layout and density is in-keeping with its immediate surroundings and it would not represent a significant and demonstrable level of harm to the visual character of the area in this regard.
- 7.2.4 The site is widely screened from the Mill Street and there are a limited number of vantage points from which the new development would be visible. The existing bungalow offers minimal visual contribution to the street-scene and the wider conservation area. Whilst the replacement dwelling is wider and deeper than the existing dwelling and represents an increase in height of approximately 0.9m, the visibility of the structure would remain largely obscured from any public view. A reduction in height and the amount of glazing in the front elevation was reduced through an amendment and the overall visual impact of the proposed dwelling is not considered to lead to a significant level of harm to the character and appearance of the area.
- 7.2.5 The triple carport would be located beyond the front elevation of the dwelling, contrary to the recommendations of the SPD Design Guide. However, it's considered that due to the lack of visibility of the site from Mill Street and the presence of an existing series of outbuildings off the front and side elevations, that an acceptable visual precedent has been set.
- 7.2.6 The site is located on the edge of Isleham Conservation Area although the Conservation Officer has responded with no concerns raised. As previously stated,

the bungalow offers minimal heritage value to the area and presents no visual relationship to the historic character buildings present along the frontage of Mill Street. The proposal is considered to have an acceptable impact on the historic character and appearance of the Isleham Conservation Area.

- 7.2.7 Concerns have been raised with regards to the views of the development site from the Isleham Recreation Ground and also views to the Parish Church. The gable end of the neighbouring 26A can be seen from the recreation ground, although the view is mainly dominated by the large structure at The Beeches. The pitch of 26 Mill Street can also be partially viewed from the recreation ground. Whilst the new structure will be more visible from this public area than the existing bungalow, the other views to the north, east and south from the recreation ground are of dwellings, some large in size. Furthermore, the application does not seek to create an *additional* dwelling and the overall lack of significant change in circumstances and insubstantial increase in height is not considered to constitute demonstrable harm to the views from this public area. The church is located 300m to the north-east with several large buildings between and the proposal is not considered to significantly interrupt any key views from the public realm.

### **7.3 Residential Amenity**

- 7.3.1 The proposed dwelling would be set back within the site when compared to the existing dwelling. The bungalow at present is situated 7m from the eastern boundary, 15m to the northern boundary and 3m to the southern boundary. The proposed dwelling would be sited 18m from the eastern boundary, 5m from the northern boundary and 5m from the southern boundary. The site is bordered on three sides by neighbouring dwellings, Number 22 to the north, 24 and 28 to the east and 26A to the south.
- 7.3.2 Regarding the dwellings to the north-east, the proposed replacement dwelling would be situated approximately 26m from the dwelling at 22 Mill Street. Due to the position of the annexe, the main two-storey element of the proposal is located a further 3m away. It is considered that due to the height of the existing bungalow and the separation distances that any overbearing impact is likely to be acceptable. The nearest first floor windows to the neighbours to the north are sufficiently distanced to avoid a harmful impingement of privacy and they are set at an obscure angle to produce a level of resistance to direct overlooking. The side facing windows to the north are rooflights which further reduce overlooking on the rear garden of 22 Mill Street.
- 7.3.3 Regarding the neighbour to the east, 24 Mill Street, the proposed dwelling is sited 35.5m from the rear elevation of the neighbouring dwelling. This dwelling has a large glazed element at the rear and concerns have been raised regarding loss of privacy and overbearing from this resident. Amendments have been made to attempt to obscure the view between these dwellings, these changes included relocation of the carport and a reduction in height and glazing. The neighbouring resident has supplied significant evidence to demonstrate the impact that the proposed dwelling will have on their privacy and private amenity space. The SPD Design Guide 2012 states that 10m distance between dwelling and boundary, resulting in a separation distance of 20m being acceptable in principle. The proposal well exceeds this separation distance which adds weight in support of the

proposal. The relocation of the carport helps obscure the view somewhat into the private amenity space of 24 Mill Street and this adds further positive weight in the planning balance.

- 7.3.4 Consideration is made to the fact that the 6.1m high bungalow currently on site could potentially have its roofspace converted with the addition of dormers, without the need for planning permission (under permitted development). These dormers would be located at a similar height to those first floor windows proposed in this application. It is acknowledged that the overlooking arising from a dormer is likely to be less than a full size window but nonetheless the fall-back position with regards to what can be completed without planning permissions contributes weight to the overall balance.
- 7.3.5 Two 'upper' Sight-lines have been provided by the neighbouring resident to demonstrate the vantage points from which their privacy would be compromised at first floor level; as previously stated, these are well in-excess of the separation distances deemed as acceptable in the SPD Design Guide. The neighbour response is accompanied by correspondence with the Planning Department from 2009 relating the neighbours own planning application; these comments are outside the remit of this application although the considerations raised regarding overlooking were valid.
- 7.3.6 Most development in urban areas affords a level of overlooking and privacy impingement and this proposal is accompanied by a *perception* of overlooking due to the amount of glazing proposed. Additionally, if the replacement dwelling is constructed there would be a level of overlooking *arising* from 24 Mill Street, considered acceptable due to the separation distances. It is considered that in this instance, on balance, the amount of overlooking does not constitute a significant and demonstrable level of harm to the privacy of the resident of 24 Mill Street.
- 7.3.7 The dwelling to the south, 26A is positioned 17m from the proposed dwelling. The side elevation of the proposal contains no first floor windows (aside from two rooflights serving a bathroom and the staircase) and has an eaves height of 4.4m. It is considered that the dwelling would avoid a significantly overbearing impact and an acceptable level of overlooking on the front elevation and driveway of 26A Mill Street. The dwelling to the south-east, 28 Mill Street is located 38m from the dwelling and is unlikely to be impacted by the replacement dwelling in terms of overlooking and overbearing.
- 7.3.8 The proposal itself provides ample private amenity space and would not be harmfully overlooked by surrounding dwellings.
- 7.3.9 The scheme is considered to be broadly compliant with the relevant policies relating to residential amenity and, on balance, the overlooking and overbearing impact and any loss of light arising from the proposal has been overcome by the separation distances, design, application amendments and consideration of the fall-back position.



## **7.4 Highways**

- 7.4.1 The proposal would seek to utilise the existing access for the bungalow, with parking and turning sited to the front of the site. A triple car port is proposed along with a further two parking spaces. The Local Highways Authority have raised no concerns with the proposal and there would not be a harmful intensification of use on the access track arising from the proposal.

## **7.5 Ecology, Trees and Drainage**

- 7.5.1 The proposed development comprises a replacement dwelling with minimal biodiversity impact expected. The proposed dwelling includes several biodiversity enhancements in the form of bat/bird boxes and the implementation of these will be secured by condition.
- 7.5.2 The proposal includes a scheme for surface and foul water drainage which is acceptable. The implementation of this will be overseen by the building control department.
- 7.5.3 The proposal would involve the removal of several small trees and hedging; the mature trees at the rear of the site are being retained and consent will be required for their removal due to the sites location in the Conservation Area. A condition requiring a scheme of boundary treatments to be submitted will secure additional boundary planting to assimilate the development into its surroundings. The safeguarding of trees during construction will also be secured by condition.

## **7.6 Other Material Matters**

- 7.6.1 Investigation and reporting of unexpected contaminated land discovered during construction will be secured by condition. Construction time will be restricted and enforced by condition to ensure a minimal disturbance to nearby residents.
- 7.6.2 The Parish Council raised issues of growth within Isleham and that sufficient development has been allocated elsewhere in the district. As the proposal is a replacement dwelling and does not involve the creation of a new planning unit, these comments are not relevant. The Parish Council are concerned that the larger dwelling will result in increased vehicles but the Local Highways Authority does not consider there to be any harmful increase in vehicle traffic arising from the proposal. The capacity of the infrastructure and lack of social facilities identified by the Parish Council are no relevant in this instance as the proposal is for a replacement dwelling.

## **7.7 Planning Balance**

- 7.7.1 The proposal involves the provision of a replacement dwelling, located close to the village centre and built to modern construction standards. The long and short-term economic benefits also attract some limited weight in favour. Matters in relation to residential amenity and highway safety can be addressed by condition.

- 7.7.2 The proposal involves the construction of a dwelling of a larger footprint than that of the dwelling which it is replacing. The dwelling has been designed to include an annexe for an elderly relative and this is incorporated well into the dwelling itself, appearing as an extension with a physical connection to the dwelling. The site is obscured from view from the street-scene and partially visible from the recreation ground. The dwelling is of a contemporary design with a prevalence of glazing on the front and rear elevation. The materials proposed would appear in-keeping with the area and the Conservation Officer has raised no concern with the proposal.
- 7.7.3 The proposal meets the Council's parking standards and would utilise an existing access track off Mill Street. The Local Highways Authority have raised no concerns with the proposal.
- 7.7.4 The proposal has the potential to overlook the neighbouring resident at 24 Mill Street. This matter has been given significant consideration and whilst a level of harm will be caused, this is not considered to be significant and demonstrable due to a separation distance between windows exceeding 35m and the positioning of the 5m high carport between the two dwellings.
- 7.7.5 In conclusion it is considered that the harmful impacts of the proposal on the conservation area and local residents do not demonstrably outweigh the benefits of the scheme and the application is recommended for approval.

## 8.0 APPENDICES

### 8.1 Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00276/FUL	Oli Haydon Room No. 011 The Grange Ely	Oli Haydon Planning Officer 01353 665555 oli.haydon@eastca mbs.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 -

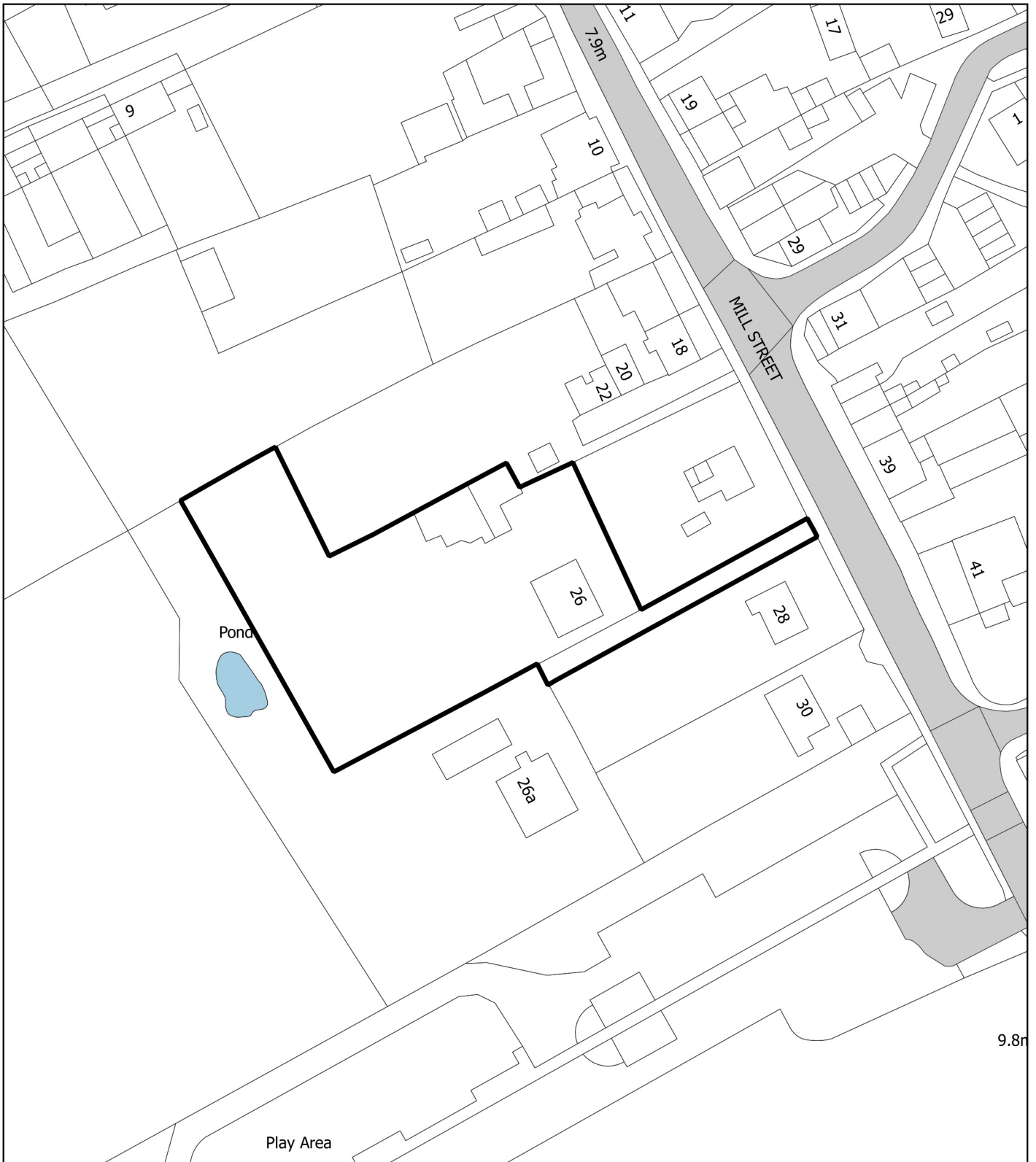
<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

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

Plan Reference	Version No	Date Received
17:130-0		3rd April 2018
17:130-1	C	31st May 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 The materials to be used in the construction of the external surfaces, including walls, roof, windows, doors, shall be as specified on Drawing 17:130-2 (D). All works shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 and LP22 and LP27 of the Submitted Local Plan 2017.
- 4 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00-18:00 each day Monday-Friday, 08:00-13:00 Saturdays and none on Sundays, Public or Bank Holidays.
- 4 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017
- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and LP26 of the Submitted Local Plan 2017.

- 6 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation.
- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 The tree protection measures as shown on Drawing 17:130-1 (C) shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered
- 7 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 and LP28 of the Submitted Local Plan 2017. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 8 The biodiversity improvements as shown on Drawing 17:130-2 (D) shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 8 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2017.
- 9 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 9 Reason: To ensure construction of a satisfactory access, in accordance with policies COM 7 and COM 8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 10 The annexe hereby permitted shall be used for purposes ancillary to the residential use of the main dwelling known as 26 Mill Street and shall not be occupied as an independent unit of accommodation at any time.
- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.



18/00276/FUL

26 Mill Street  
Isleham



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:1,000



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**MAIN CASE**

**Reference No:** 18/00363/OUM

**Proposal:** Outline planning permission with all matters reserved except for access for the erection of up to 125 dwellings including affordable housing, land to be reserved for nursery use (Use Class D1), open space including an extension to the recreation ground, play areas, sustainability drainage features and associated infrastructure including foul sewage pumping station.

**Site Address:** Land Accessed Between 2 And 4 Fordham Road Isleham Cambridgeshire

**Applicant:** Bloor Homes Eastern

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

**Parish:** Isleham

**Ward:** Isleham  
Ward Councillor/s: Councillor Derrick Beckett

**Date Received:** 19 March 2018      **Expiry Date:** 10 August 2018

[T70]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to delegate approval of this application to the Planning Manager subject to the recommended conditions below that can read in full within Appendix 1 (with any minor changes delegated to the Planning Manager) and the completion of a S106 Agreement:

1. Approved Plans
2. Matters Reserved
3. Implementation Deadline
4. Water Drainage
5. Road Design
6. Road Maintenance
7. Archaeological Works
8. Construction Environmental Management Plan (CEMP)
9. Construction Time/Deliveries
10. Foul Water
11. Unexpected Contamination
12. Fire Hydrants
13. Masterplan details
14. Single Storey Dwelling Provision

- 15. Renewable Energy
- 16. Biodiversity Improvements
- 17. Temporary Amphibian Fencing
- 18. Broadband
- 19. Visibility Splays
- 20. Access Drainage
- 21. Access Details
- 22. Travel Plan
- 23. Phased Development

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application is an outline proposal that seeks detailed consent for access at this stage. If approved the details of appearance, landscape, layout and scale would need to be agreed during a reserved matters application. The proposal seeks consent for up to 125 dwellings, open space, extension to recreational ground, sustainable drainage, a foul water pumping station and land to be reserved for a children's nursery (Use Class D1).
- 2.2 Amendments have been received during the course of the application. The most significant amendment relates to the removal of the traffic calming along Fordham Road following comments from the Local Highways Authority, Case Officer and the Parish Council. This amendment also removed the cycle path.
- 2.3 The application has been brought before Planning Committee due to the Council's Constitution. 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

17/00738/SCREEN	SCREENING OPINION Residential Development	22.05.2017 Environmental Statement not required
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#### Relevant Adjacent/Close by applications

15/00629/OUM Erection of buildings to accommodate up to 4,160 square metres for B1, B2 and B8 uses and associated development on land allocated by Policy ISL6 of the adopted Local Plan, adjacent to Hall Barn Road Industrial Estate is still under consideration.

18/00467/OUT Outline application for residential development for 9 detached dwellings, with all matters reserved except access and scale was approved.

#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located outside (though adjacent) of the village framework. The Isleham Recreation Ground is located to the east of the site. To the north and west are residential dwellings. To the southwest is the industrial units on Hall Barn Road and to the south is Fordham Road (30 mph speed limit) that this site proposes to connect onto.

#### 5.0 RESPONSES FROM CONSULTEES

5.1 The full responses are available on the Council's web site.

##### Isleham Parish Council – (10 April 2018)

Strongly objects to the proposal on the grounds of:

Size of development is too big for Isleham that would damage both its character and that of nearby villages. In particular:

- Increase of 20% housing stock.
- 200 – 300 additional cars.
- Fundamentally change the character of the recreation field.
- Central Government should take a regional approach into housing need.
- Larger villages/towns would better be able to accommodate this sized development.
- Village infrastructure will not cope and services are very limited.
- No public transport within the village apart for a dial a ride service.
- Significant increase in vehicles would compound the already dangerous local roads and access point including Hall Barn Road Industrial Site, Fordham Road, village of Fordham, Isleham Nature Reserve and Prickwillow Road. It also makes reference to the amount of potholes within the village.
- Utilities over stretched. Regular power cuts, low water pressure and areas having problem with sewage.

Objections/concerns relating to the outline application:

- Developer is wrong to state that there is capacity in the local schools and surgery.
- The increase in car movements will have a noticeable impact to other road users.
- Seeks a roundabout on Fordham Road into the development entrance and raises highway concerns.
- Seeks a speed reduction of 50mph along a stretch of Fordham Road.
- Need to ensure long term maintenance of all proposed roads.
- Seeks 3 parking spaces per dwelling.
- Seeks an access into/next to the land to be gifted to the Parish Council.
- Clarity needed for the access/parking arrangements for the early years facility.
- To prevent parking on the main Fordham Road we ask that a condition be included that the houses adjacent to Fordham Road should be constructed off a 'service road'.



- Seeks highway safety improvements to be made to the road/bridge layout of Fordham Road adjacent to the nature reserve.
- Seeks a legal agreement for the long term maintenance of trees and play areas.

In regards to layout/density:

- Primary need within the village is for small/affordable dwellings. Will be seeking additional numbers of smaller properties within any reserved matters.
- Existing residents should get priority for affordable dwellings.
- The proposed 6 bungalows is completely insufficient.
- To ensure privacy a minimum 5m border is expected around the entire site.
- Proposal should have a maximum height of 2 storey.

Other issues:

- Does not see how it supports growth and innovation (economic), accessible to local facilities/services (social) and enhances natural or historical environment (environmental). For these reasons proposal is not in line with the NPPF.
- Does not believe the developer has accurately reflected the tone of feedback to the site allocation (ISLH4).
- Lack of detail to the proposed number of new dwellings.
- Village is not right location to make shortfall of housing delivery.
- Wants the site slowly built out over 20 years, not 5 years to allow infrastructure to catch up.

(5 June 2018)

It continues to have concern regarding the efficiency and effectiveness of the proposed traffic calming measures. Seeks that a safety audit is secured as part of a S106 Agreement.

Points out there is at least three new developments along this part of Fordham Road; this will lead to at least 300 cars extra trying to access Fordham Road each day.

The proposed measures will result in:

- a significant build of traffic as vehicles enter/exit Fordham Road.
- excessive and unnecessary pollution from stationary vehicles.
- vehicles wishing to access other parts of the village using Hall Barn Road as a rat run.

Youth Football events will add to the traffic problems in the area.

It still seeks a roundabout entrance into the development site.

Seeks the road to be narrowed but is still wide enough for agricultural machinery. Seeks that the future safe access of construction vehicles is secured.

(17 July 2018)

In regards to the amendment received they have objections to the revised access arrangements and the indicative street scenes but has no concerns over the energy statement.

States:

“Re revised access arrangements:

The plans appear to indicate that the previously identified traffic calming methods have been withdrawn. Assuming that this is the case, we deem this retrograde proposal **completely unacceptable!**

This is a significant development of 120 houses and is also located next to two further new developments containing a further 20+ houses. With no public transport this will generate in the region of an additional 300 cars travelling into, out of and through our village.

Recent data from our own MVAS which is positioned immediately outside the entrance to this proposed development indicate that 57% of all vehicles travelling into our village drive in excess of the 30pm speed limit, with 30% of these vehicles travelling between 40 -90mph! We therefore have absolutely no doubts that additional traffic calming measures are required to ensure the safety of our residents.

**We continue to expect an official safety audit as part of a S.106 arrangement to be undertaken to ensure an effective solution to this issue. (see previous objections submitted 5.6.18)**

We would also urge Bloor homes to engage with the developers of the two other sites in this vicinity to find a common solution to this problem

Indicative street scenes:

We know from recent experience that Bloor homes pass over the responsibility for the grounds maintenance of communal land on their developments to external contractors, often without any consultation with residents. This has resulted in an extremely poor quality service with residents continually having to chase up the contractors. We would expect a condition attached to any approval, that Bloor Homes retain responsibility for the maintenance of all such areas.

Footpaths:

The indicative ‘character scenes’ identifies a number of footpaths running through Parish Land. Although we have no objection to the principle of such footpaths their current positioning is not deemed acceptable.”

Local Highways Authority – (23 February 2018) Places a holding objection due to lack of sufficient highways information to demonstrate that the proposed development would not impact highway safety.

The Road Safety Audit has not been completed and as such cannot determine if safe access can be achieved.

(25 May 2018)

States:

“After completion of the Road Safety Audit process the Highways Authority has no further objections in principal to this application

### **Additional Comments**

The inclusion of the Speed Reducing measures along Fordham Road have not been requested by the highways authority to facilitate this development but offered by the developer. It is my opinion that using the planning application process to consult the general public, residents and businesses in the local area is not sufficient to implement these changes on the road network and a further and additional consultation run by the Parish Council and the highways authority should be under taken. The full impact of these changes has not been and cannot be considered within this application as this will require a full feasibility study which is outside of the remit of the planning application process. It should be noted without this additional study that the impacts on the surrounding area e.g. rat running, congestion, noise etc ... cannot be ascertained.

Please note that there is a second application on Fordham Road for a new development site and junction, adjacent to the give way feature proposed within this application. Should both applications be permitted by ECDC then one and / or the other will require alterations to their planning permission and further Road Safety Audits and highways requirements may be required to be completed.

### **Recommended Conditions**

HW2A – Prior to first occupation the internal roads, footways and cycleways are to be built to a minimum of binder course

HW11A – Access layout and Highways Works to be constructed and installed as per drawing numbers PL01 Rev C & PL02 Rev D

HW18A – Visibility splays to be provided at the junction with Fordham Road 2.4m x 43m either side of the junction

HW22A – No private surface water to be discharged on the public highway”

(17/07/18) States “Amended access Drawing Number PL06 Rev A – shows the far northern “emergency / pedestrian access” as having a priority cycle route to the carriageway. The shown road markings and associated feature e.g. cyclist priority over pedestrians on the footway, is not acceptable also the corresponding worded annotations on the drawing does not match what is shown on this layout? However the location and width of this access point is suitable to serve all three functions. Therefore subject to the highway detail of this not being included in any permissions the planning authority is minded to grant I would have no objections.

The main highway vehicle junction layout is also acceptable as is the removal of the speed reducing features along Fordham Road. These speed reducing features are not required to facilitate this development and as such I have no objections at their removal.

Please include any and all relevant highway comments, informatives and recommended conditions from my previous responses plus the above to any permission that may be granted.”

Transport Assessment Team (County Council) –

Comments that the traffic surveys should not be done during school holidays. Clarification is needed on when the survey was undertaken.

States that the

“application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.”

(9 July 2018)

States:

**“Background**

The document reviewed is the technical note, not dated for an application for 125 dwellings and a 60 place nursesey.

**Technical Note Review**

**Public Transport**

In consultation with the passenger transport team at Cambridgeshire County Council it has been decided not to seek any improvements to the bus infrastructure in Isleham due to the very limited bus service. A development of this size could not fund a new service and would not generate enough passengers to sustain an improved bus service.

**Base Traffic Conditions**

It is noted that there are a number of errors in the dates provided in the original transport assessment to support the application.

TPA have clarified the dates as follows –

ATC’s were installed between 10<sup>th</sup> June to 23<sup>rd</sup> June at the following locations –

- B1104 Mill Street – grid reference: X\_564277, Y\_274207;
- B1104 Pound Lane – grid reference: X\_564214, Y-274549; and
- The Causeway – grid reference: X\_564524, Y\_274392.

The dates for the ATC data in Appendix B has also been labelled wrong.

**Peak Hour Analysis**

The AM and PM peaks have been confirmed as 07.30-08.30 and 17.15-18.15, this is acceptable for use.

### **Travel Demand Generation**

TPA have accepted they cannot provide any evidence to demonstrate that 50% of trips to the nursery will be internalised and have therefore undertaken a sensitivity test which includes all the nursery vehicle trips. This does not result in any capacity issues on the network.

### **Highway Capacity Analysis**

The junction assessments have been checked and the proposed development will not have a severe impact on the highway network.

### **Conclusion**

The Transport Assessment Team does not wish to object to the proposal as submitted.”

NHS England – (10 April 2018) States that “there is one GP practice in the vicinity of the proposed development. The practice does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area.”

Seeks a contribution through the Community Infrastructure Levy (CIL) towards Staploe Medical Centre.

NHS England is not seeking to object to the proposed development.

Natural England – (29 March 2018) No comments to make on this application.

Designing Out Crime Officer (Police) – (4 April 2018) The area is within a low – medium risk of crime.

Supports the outline application but requests further consultation in regards to design, layout and lighting when available.

Requests that the developer complies with Secured by Design principles.

East Cambridgeshire Access Group – (4 April 2018) Welcome the provision of access of site near to the centre of the village for pedestrians and cyclists, which should be clearly labelled with tactile paving.

Looks forward to commenting when the further application(s) are made.

Lead Local Flood Authority – (10 April 2018) Have no objection in principle to the development but seeks a conditions regarding creation and maintenance of the surface water drainage systems.

Environment Agency – (20 April 2018) Application should only be approved if conditions are added to cover contamination, surface water and a landscape management plan.

Middle Fen and Mere Internal Drainage Board – (4 April 2018) Is outside of their district and recommends that the County Council is contacted.

Anglian Water – (24 April 2018) States:

That the “development is in the catchment of Isleham Water Recycling Centre that will have capacity for these flows”.

Seeks a condition regarding a foul water strategy to prevent unacceptable risk downstream.

The Local Planning Authority should seek the views of the Lead Local Flood Authority.

Housing Strategy and Enabling Manager – (5 April 2018) Seeks 30% affordable dwellings.

All new dwellings shall meet Building Regulations Part M (Volume 1), Category 2; unless there are exceptional design reasons why this is not possible.

The latest SHMA recommends 77% rented and 23% intermediate housing.

Provides guidance on S106 Agreement.

Historic England – (3 April 2018) Does not wish to comment but recommends that specialist conservation and archaeological is sought.

Historic Environment Team – (18 April 2018) Highlights the high archaeological potential on site and seeks a pre-commencement condition.

Defence Infrastructure Organisation – (18 April 2018) The MOD does not object to this application but wants to highlight that the development will be affected by noise from RAR Mildenhall and Lakenheath.

Recommends a conditions to ensure that properties meet a certain noise insulation standard with windows closed.

(25 April 2018) Want to ensure that future residents are adequately protected from noise that it will create.

Questions if when the developer’s noise survey was done if they recorded any low flying planes.

The development must consider and protect future residents from air traffic noise (including at night time).

(17 July 2018) States:

“Ultimately it is for the Local Planning Authority to determine the application as they see fit, however, given the distance of the site from RAF Lakenheath and RAF Mildenhall, the evidence presented in the submitted noise report and the proposed

mitigation measures the MoD has no objections to the proposed development subject to conditions to secure the proposed method of construction and noise mitigation for the dwellings as set out in the application documents and subject to an informative worded as follows;

Informative;

The developer and future residents of the dwellings approved by this planning permission are informed that military aircraft operating from both the RAF Lakenheath and RAF Mildenhall sites may be ***seen and*** heard in this area from time to time. It is also important to note that future changes may occur to the flightpaths, aircraft type or level of flight activity from these military sites.”

Environmental Health Technical Officer – (23 April 2018) Accepts the submitted report but does want to ensure that the proposal will not impact the nearby industrial estate in the long term.

Recommends conditions in regards to construction hours and the need for a construction environmental management plan (CEMP).

(13 July 2018) States

“Further to your email to Andrew dated 23rd April 2018 which included my original response, I have looked at the Applicant's Acoustic Consultant's, MLM, latest report.

It had been updated to take into account our comments regarding the extension to the industrial estate on the SW corner of the site and from the MOD regarding developments that fall within the locality of RAF Lakenheath and RAF Mildenhall.

My original response remains valid, the acoustic consultant has suggested facade mitigation and with windows open they confirm that the required noise levels can be achieved.”

Environmental Health Scientific Officer – (11 May 2018)

Accepts the information the developer has submitted in regards to contaminated land and air quality.

Seeks a condition in regards to unexpected contamination to protect future residents.

Waste Strategy (ECDC) – (26 March 2018)

States that the proposal will need to comply with RECAP guidance, ECDC policy for refuse/recycle collection and the cost to provide bins per property.

Tree Officer – (27 April 2018) Raises concerns that the opportunity for additional tree planting appears minimal. While street tree planting is shown is unsure if this will be allowed due to highways authority not adopting trees.

Additionally tree planting is primarily dedicated to boundary planting that does little to suggest the benefits of tree planting.

Recommends that a landscape architects is consulted as they have concerns regarding the inadequate provision of open space in relation to housing density.

Questions the requirement for additional sport facilities at the sacrifice of a high quality landscaped areas; there are no public parks locally.

The minimal amount of open space is primarily occupied with drainage.

(7 June 2018) Please refer to previous comments.

Fire and Rescue Service – (6 June 2018) Seeks a method to ensure fire hydrants are provided.

Provides details of their specifications.

CCC Growth & Development – (17 July 2018) States:

“it is unlikely that it would be advantageous for County to want this land. If the nursery can come forward on a commercial basis then that would be consistent with many nursery settings across the County and an acceptable delivery model.”

Conservation Officer - No Comments Received

Parks and Open Space - No Comments Received

Ward Councillors - No Comments Received

5.2 Neighbours – 148 neighbouring properties were notified and the responses received are summarised below. A site notice was put up on the 27 March 2018 and a notice put in the local paper on the 5 April 2018. A full copy of the responses are available on the Council’s website.

24 Mill Street, Isleham – (9 April 2018) Raises concerns and objections to the proposal on the grounds of:

- Lack of capacity in the local foul water drainage system.
- The school is already at capacity.
- Isleham is a commuter village and the A14/A142 junction at Newmarket is already deemed inadequate at peak times.
- The B1104 through Isleham Village towards Chippenham is already over utilised and under maintained, as well as being known for speeding issues.
- The C road from Isleham to Fordham is already over utilised and under maintained. This road also has speeding issues.
- The Riverside Marina (Suffolk) residents (200+) and visitors already cause significant congestion and wear of the local roads.
- Prickwillow Road, Beck Road (and 4 cross Bridge), Knaves Acre Drove and Temple Road are effectively made up tracks and are poorly maintained.



- Loss of open area. Harm to the visual character of entering Isleham from Fordham.
- The residential development would lead to restrictions being applied to the Hall Barn Road Industrial area.
- Seeks clarity on the end number of dwellings being proposed on the site.

(30 April 2018)

Seeks clarity that the proposal will not in future limit the Hall Barn Road industrial area and what is the total quantum of development on the entire site.

18 Aves Close, Isleham – (11 April 2018) Strong objects to this application.

States that the only two reasons why the Council is intending to approve this unwanted building project is:

- Profits for the developer.
- ECDC building targets as set out by the Government.

Only affordable housing is needed within the village and that the village does not have the infrastructure to cope with this size of development.

Concludes:

“I urge you to be strong, stand up to the people who are demanding that you ruin our village and do the right thing! After all, look at the mess you have made of Soham!”

55 West Street, Isleham – (12 April 2018) Raises concerns/objects to the proposal on the grounds of:

“

- Site is too large for development and will be out of character with the rest of the village.
- Poor road network with dangerous crossroads by the school at Fordham and onto the A142 at the end of East Fen Drove. The route to Soham/Ely via Temple Road, Common Gate Drove and Est Fen Drove is mostly single track and totally unsuitable for the current level of traffic.
- Negative impact on the surrounding properties in terms of overlooking, overshadowing, loss of light, increase in artificial light or glare. There should be a higher proportion of single story dwellings and no 2 ½ or 3 story dwellings.”

Asks about the pumping station and seeks assurance it will not generate noise or odours.

Who will maintain the 5m buffer zone between existing properties and the new development?

Seeks investigation of the circular anomaly identified to the north of the site.

(14 May 2018) Objects to the proposal on the grounds of air quality (extra pollution) and highway safety.

Seeks a gateway arrangement along with permanently installed speed displays in both directions.

67 West Street, Isleham – (15 April 2018) Objects to the proposed development:

#### Highway Safety

- Use of bus service lower than what is predicted by developer.
- Fordham Road does not allow for sustainable travel.
- Seeks the developer to fund a footpath/cycle way along Fordham Road.
- The study of the junctions and car use within the village of Isleham is likely correct in predicting low impact from the development.
- However, the study of the Collins Hill/Mildenhall Road junction in Fordham is very misleading and this is the most popular route out of the village. There can be little confidence in the predictions of future impacts on this junction.
- There is a significant highway safety risk on the Collins Hill junction and knows of 1 fatality in recent years. This is also the junction that the Fordham School is on.
- Developer has ignored the request of ECDC to look at junctions further afield, which are the most impacted by cars out of Isleham (they provide details of specific junctions).
- Another well used exit from Isleham is along East Fen Drove towards the A142 and Soham. This is used to get to Soham and Ely and this route is already dangerous.

#### Natural Environment

- Great Crested Newt survey has missed out their pond and seeks for the Developer's Ecologist to investigate.
- 5m planting buffer area should be 7m in width to allow for tree planting.
- ECDC letter dated 22 May 2017 seeks that the tree belt should be fruit bearing planting, though not forest trees that would be too tall for this location.

#### Housing Mix, layout and character areas

- Proposed housing mix includes far too many larger dwellings.
- The proposed amount of bungalows are too low in order to meet policy and accommodate the villages housing needs and for the character of the area. Seeks that the Council make it clear that it expects at least 10% bungalows at reserved matters stage.
- 2 storey should be the maximum height.
- Proposals do not fit with character of the area and will cause residential amenity concerns.
- Any proposed street lighting should be subdued.

#### Power Line

- Questions how the overhead power line will be dealt with in order to avoid risk to the users of the public open space.

#### Reserved Matters

- Seeks to be kept informed at reserved matters stage.

3 Fordham Road, Isleham – (14 May 2018)

Seeks additional parking for the Beeches and raises concerns in regards to highway safety.

4 Fordham Road, Isleham – (16 April 2018) Strongly objects to this application on the basis of:

- Village infrastructure cannot cope with 300+ new residents.
- The school is overstretched.
- Sewage system will not cope.
- Asks how drainage will work once site built on.
- Seeks more affordable and smaller/starter houses.
- Pavement into Isleham is too narrow.
- Not possible to safely walk towards The Railway Nature Reserve, additional traffic will exacerbate problem.
- Traffic increase on Fordham Road.
- Loss of village.
- Asks why we need so many new homes when so many are empty of up for sale.

5a Fordham Road, Isleham – (13 July 2018) Raises concerns that all speed reduction measures have been moved and wonders what new measures will be put in place. Also raises concerns that car headlights will cause harm to their amenity within their living room during the winter periods.

29b Hall Barn Road, Isleham – (15 April 2018) Is writing to object to the proposal on the grounds of:

- Bloor Homes public consultation was half hearted and did not cover the extent of the development.
- ECDC has to stand up to the greed of the developers in order to protect communities, landscape and the people who live in them.
- Soham has been ruined by new developments and these development have huge parking issues and roadways not fully sized.
- Size of development not in character with the village.
- Large increase in traffic.
- Road network is poor and no suitable sustainable forms of transport exist.
- Village services are not appropriate for such a large scale development.
- Will add to car parking problems.
- Isleham has poor drainage and sewage issues.
- Concern over surface water run off.
- Land was designated for a new primary school, questions school capacity in the area.
- Seeks developer to provide infrastructure.
- Questions the sustainability of the development.
- Will cause overlooking, overshadowing and glare to their property.
- Questions the 5m buffer zone. Who will maintain this?
- Detrimental harm to biodiversity.

- Under provision off bungalows.

49c West Street, Isleham – (17 April 2018)

Strongly objects on the grounds of:

- 20% increase to village size.
- 200-300 additional cars.
- Fundamentally change the nature and functionality of the recreation ground.
- Government should take a more regional view of housing demand.
- Large settlements should take shortfall in housing.
- Lack of services/facilities within the village.
- Local school and surgery at capacity.
- Raises highway safety concerns.
- Developments junction onto Fordham Road should be via a roundabout.
- Reduce speed along a stretch of Fordham Road to 50mph.
- Long term maintenance of developments roads needed.
- 3 parking spaces per dwelling.
- Footpath should not cross the existing playing fields.
- Parking and access for early years facility is not clear.
- Need to prevent parking on Fordham Road.
- Need highway safety improvements on Fordham Road near the Nature Reserve.

6 Docking Lane, Isleham – (15 May 2018)

Does not want to see the kids football grounds being lost.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 12	Listed Buildings
COM 7	Transport impact
COM 8	Parking provision

COM 4            New community facilities

6.2        Supplementary Planning Documents

Design Guide  
Contamination  
Developer Contributions  
Cambridgeshire Flood and Water

6.3        National Planning Policy Framework 2012

- 4    Promoting sustainable transport
- 5    Supporting high quality communications infrastructure
- 6    Delivering a wide choice of high quality homes
- 7    Requiring good design
- 8    Promoting healthy communities
- 10  Meeting the challenge of climate change, flooding and coastal change
- 11  Conserving and enhancing the natural environment
- 12  Conserving and enhancing the historic environment

6.4        Submitted Local Plan 2017

- LP1        A presumption in Favour of Sustainable Development
- LP2        Level and Distribution of Growth
- LP3        The Settlement Hierarchy and the Countryside
- LP6        Meeting Local Housing Needs
- LP8        Delivering prosperity and Jobs
- LP16       Infrastructure to Support Growth
- LP17       Creating a Sustainable, Efficient and Resilient Transport Network
- LP18       Improving Cycle Provision
- LP19       Maintaining and Improving Community Facilities
- LP20       Delivering Green Infrastructure, Trees and Woodland
- LP21       Open Space, Sport and Recreational Facilities
- LP22       Achieving Design Excellence
- LP23       Water Efficiency
- LP24       Renewable and Low Carbon Energy Development
- LP25       Managing Water Resources and Flood Risk
- LP26       Pollution and Land Contamination
- LP27       Conserving and Enhancing Heritage Assets
- LP28       Landscape, Treescape and Built Environment Character, including Cathedral Views
- LP30       Conserving and Enhancing Biodiversity and Geodiversity
- Isleham 1    Isleham's Local Character and Facilities
- Isleham 2    Infrastructure and Community Facilities
- Isleham 3    Allocation Sites
- Isleham 4    Site ISL.H4 – Land off Fordham Road

7.0        PLANNING COMMENTS

7.1        Principle of Development

- 7.2 The Council cannot currently demonstrate a robust five year housing supply and therefore the policies within the Local Plan relating to the supply of housing should not be considered up-to-date. In light of this, applications for housing development, such as this one, should be considered in the context of the presumption in favour of sustainable development as set out in paragraph 14 of the National Planning Policy Framework (NPPF).
- 7.3 The key considerations in determining this application are therefore; whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development when assessed against the policies in the NPPF taken as a whole, and against the policies within the Local Plan which do not specifically relate to the supply of housing; or, whether any specific policies within the NPPF indicate that the development should be restricted.
- 7.4 The site has been allocated under the Submitted Local Plan 2017 (ISL.H4) for approximately 125 dwellings. It should be noted that the site allocation boundary is bigger than what has been applied for and that additional applications might be submitted. However, any future application would need to be determined upon its own merits.
- 7.5 The site specific policy (ISL.H4) states:
- a. An area of approximately 1.0 - 1.5 ha to be gifted to the Parish Council for the purpose of recreational facilities (such as new football pitch(es)), located adjacent to the existing recreational facilities. Other open space policy requirements are relaxed, except for on-site provision of toddler play areas and informal green spaces/landscaping, unless it is deemed necessary to provide additional open space to mitigate any adverse effects on any designated national or international site;
  - b. Traffic calming along Fordham Road;
  - c. An element of bungalow style development;
  - d. Appropriate landscaping/ buffering throughout the site, and especially adjacent to the Hall Barn Road Industrial Estate;
  - e. An urban design solution which creates a series of character areas, with each area of a significantly different style/layout, so as to create the perception of a natural evolution of the settlement. Ideally, each group will be completed before the next group commences substantial development;
  - f. The indicative dwelling figure of 125 should not be significantly exceeded due to: the need to provide careful landscaping, open space provision, and some low density, bungalow style development; the need to prevent excessive pressure on local facilities and highway network; and in recognition of the relative isolation of Isleham and its relatively poor highway connection and public transport provision;
  - g. Ensure no adverse effect on groundwater (with part of the site falling within the Inner Zone1 Groundwater Source Protection Zone).
- 7.6 With the Council not having a five year land supply and the Submitted Local Plan still going through public examination limited weight should be given to both this plan and any policy with the adopted Local Plan that limits housing development. The application needs to be considered on the basis of a tilted balance in accordance with paragraph 14 of the NPPF.

- 7.7 Sustainability of the Site
- 7.8 The village of Isleham is relatively remote but does benefit from several pubs, a village shop, a primary school, recreation ground and several churches (D1 Use class).
- 7.9 The Submitted Local Plan describes Isleham as:
- “Isleham is a large village located 9 miles south-east of Ely and 6 miles north-east of Newmarket. Isleham has a good range of services, including shops, post office, public houses, churches, primary school, village hall and large recreation ground, but relatively poor highway and public transport infrastructure. Isleham is an attractive village with a large number of listed buildings, including the Benedictine priory and priory church.”
- 7.10 While the village could arguably provide a wide variety of non-residential uses (D1 Use Class), it is not considered possible for the village to adapt to become self-sufficient within the foreseeable future. However, the only settlement that could arguably be self-sufficient, in the reasonable future, in this district is Ely.
- 7.11 The proposal seeks to provide an additional D1 Use Class within the village in the form of gifted land towards providing a children’s nursery. This will help increase the sustainability of the village. The developer will also be required to pay the Community Infrastructure Levy (CIL), which could help provide an upgraded doctors surgery (Staploe Medical Centre) as this infrastructure improvement is listed on the Council’s Regulation 123 list.
- 7.12 The developer is offering 1.18 hectares of land to the Parish Council to be used as part of its recreation ground. In addition the developer is providing 1.27 hectares of land towards open space (informal open space, SuDS and children’s play area); this is considered to comply with part a of ISL.H4. This will need to be secured, including relevant maintenance contributions, as part of the S106.
- 7.13 Concern has been raised that this level of development will damage the village character. While the development is large for the village it is contained within the built form of the village, as there are existing dwellings to the north, west and south. The proposal will, therefore, not lead to the sprawl of the village but would of course lead to more people living in Isleham. Additional growth within a village can help its sustainability as more people can help to keep services operating or encourage new ones to set up.
- 7.14 As mentioned above the Council cannot demonstrate a five year land supply, which means that many of the settlements within the district will need to find additional land for dwellings. A shortfall in dwellings within an area greatly harms social and economic sustainability, as the area cannot provide a home for everyone or a strong local work force. Having to travel long distance between home and work can also lead to environmental damage, if private motorised vehicles are required.
- 7.15 Both the Adopted and Submitted Local Plans focus development on (or around) the more major settlements of Ely, Soham and Littleport. The growth of each settlement has been carefully considered to ensure that development is suitably

spread across the district. The need to provide dwellings for those that work (or want to work) within the area will lead to settlements growing in size.

- 7.16 The developer in its amended (25 June 2018) Energy Statement concludes that the development will provide a 19% improvement in energy efficiency/generation above building regulations. This is a substantial benefit in environmental sustainability (less fossil fuel required) and social sustainability (lower household bills). The application should be conditioned on this basis if approved.
- 7.17 It is considered on balance that the site and potential level of development is sustainable in principle. However, this does not mean that development should be allowed at any cost. The remainder of the report will go through all the material considerations in order to assess if there is any significant and substantial harm.
- 7.18 Highways
- 7.19 Policies COM7 of the Local Plan and LP17 of the Submitted Local Plan seek to ensure a safe and convenient access to the existing highway network. This is an outline application, which is only seeking access to be determined at this stage.
- 7.20 The proposal seeks a T-Junction onto Fordham Road (30 mph speed limit). While the Parish Council and residents in their comments have sought a roundabout, the Local Highways Authority have consistently resisted this as in its professional view it would create an unnecessary highway danger with no justification.
- 7.21 The developer in order to satisfy the wish of the Parish Council sought to slow traffic down along Fordham Road by providing road calming measures. These road calming measures passed a County Council Safety Audit and were deemed to be acceptable. However, the level of road calming measures raised concern that it might just push more traffic to go through the village via Hall Barn Road. While this would not be unacceptable in either planning or highway safety terms the developer decided to remove all the traffic calming measures in order to overcome the concerns raised.
- 7.22 The request for traffic calming measures by means of a contribution via a S106 Agreement as suggest by the Local Highways Authority and sought by the Parish Council is backed up by the Submitted Local Plan 2017 (ISL.H4 point b). However, this provision is not needed to make the development acceptable and is, therefore, not made necessary by this development. It is not for a developer to pay to overcome an existing issue. While it is not recommend to be sought by the Case Officer, members should carefully consider if they believe it is a necessary contribution. The Community Infrastructure Levy Regulations 2010 states:

“Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development”



- 7.23 The creation of additional dwellings fronting Fordham Road and the provision of a 2m wide footpath will likely provide a strong visual cue to drivers to not break the 30mph speed limit along this stretch of Fordham Road. The current visual cue (excluding the speed sign) is the Isleham village sign located to the east of the application site. The design/built form of streets can help to design out speeding.
- 7.24 The developer submitted a Transport Assessment (March 2018) and an additional letter (9 May 2018) that concludes that the proposal will have little impact on the capacity of the roads or the effects of queuing. The developer provided surveys at the junctions of:
- B1104 Church Street priority junction with B1104 Pound Lane (located in Isleham)
  - B1104 Station Road priority junction with Fordham Road (located in Isleham)
  - B1104 Mill Street (located in Isleham)
  - B1102 Mildenhall Road crossroads junction with Collins Hill and Isleham Road (located in Fordham, adjacent to the primary school).
- 7.25 With the junctions assessed it is considered that the developer has assessed the traffic going towards Fordham and onto A142 and northwards (Prickwillow Road) towards Ely. While it would have been preferable to the Case Officer if the developer had done a wider assessment, this has been proven to be unneeded.
- 7.26 The Transport Team has considered the information that the developer has submitted and concluded that it has no objection to the proposal as it will not have a detrimental impact upon the highway network in regards to capacity or risk to highway users in the surrounding area; nor does it seek contributions/improvements as it cannot justify them.
- 7.27 If the Parish Council (or for residents to make representations to the Parish or County Council) are seeking to upgrade/change existing road junctions it will need to fund these improvements out of its own CIL funding or working in partnership with surrounding Parish Councils to joint fund projects.
- 7.28 It should be noted that the County Council Transport Team have stated that even with the additional dwellings, there would not be enough people to sustain a new bus service. However, the developer is offering both free bus passes for three months (to be controlled through a S106) and a travel plan (to be conditioned).
- 7.29 Advice from the Local Highways Authority and the Transport Team was for the developer to not provide a cycle route along this stretch of Fordham Road, following this the developer reduced the 3m wide footpath/cycle link to 2m wide footpath. The site will need to rely on non-sustainable methods of travel to access a range of services and facilities, this weighs against the application but would have been known when the Council allocated the site and is typical for most rural development sites.
- 7.30 The exact detail and location of the footpath between the development site and the recreation ground can be secured as part of future reserved matters; though it is

likely that a gated entrance into the extended recreation ground and the proposed residential development would make the most sense.

- 7.31 With access seeking to be agreed as part of this outline application, if permission was granted it would mean there will be only one motor vehicular (excluding emergency vehicles) entrance onto Fordham Road. No individual dwelling will be able to access onto/off Fordham Road. The layout design of the proposal, if approved, would need to access all the dwellings from within the site.
- 7.32 The concern of the Local Highways Authority regarding the priority arrangements of the emergency access can be controlled by way of a condition. The other conditions that the Local Highways Authority have requested can also be duly added.
- 7.33 While the developer is suggesting in their submitted plans that the remainder of the site allocation can be accessed via their development, this will be likely over a ransom strip. It is understood that the remainder of the site allocation could have its own access onto Fordham Road, though this would need its own application to assess its merits. It is not considered reasonable in this application to require the developer to provide a road link into the remainder of the site allocation; as this might harm, in this case, the potential design opportunities of the remainder of the site. It is also possible for the remainder of the site to be accessed via other means.
- 7.34 No application can be expected to overcome existing highway problems or maintenance. The development has to demonstrate that it mitigates against its own harm. The developer has successfully done this if the recommended conditions are added to a decision as requested by the Local Highways Authority.
- 7.35 The proposal is in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 7.36 Car and Cycle Parking
- 7.37 The Adopted Local Plan (COM8) seeks two parking spaces per dwelling, with the modest density of the site this should be easy to achieve if a layout reserved matters is submitted. At the current time the Submitted Local Plan 2017 parking policy can only be considered to have the most limited of weight, as the plan is not adopted and this element of the plan has received substantial objection towards it. It is expected that within the reserved matters application details of secure covered cycle storage will be submitted in accordance with policy.
- 7.38 Residential Amenity
- 7.39 The Local Planning Authority is required in both adopted and submitted policy to protect residential amenity to ensure no proposal will have a detrimental impact upon people's (both existing and future residents) home life.
- 7.40 With scale, layout, design and landscaping not being defined at this stage (in addition to a maximum of 125 dwellings) it is not possible to demonstrate that the proposal will definitely have (or have not) a detrimental impact upon residential

amenity of existing neighbours and future residents in regards to loss of light, undue overbearing or loss of privacy. However, it is possible to assess the proposal on its maximum density and the back to back distances the developer is suggesting. Any future reserved matters application would need to demonstrate that a suitable level of residential amenity has been secured.

- 7.41 The developer is expecting the proposed dwellings to take up 4.2 hectares, which would lead to a net density of 30 dwellings per hectare/ 12 dwellings per acre (gross density 18 dwellings per hectare/ 7 dwellings per acre). This is a very modest density that should allow for dwellings to be built in good size flexible plots in accordance with the Design Guide that will allow a reserved matters application to not cause detrimental harm to either existing or future residents.
- 7.42 In addition the developer is providing a 15m distance (drawing number CSA/2946/112) along the northern and western boundaries between the proposed rear wall of the dwellings and existing neighbours fence. While 5m of this will be landscaped, this should not be relied upon in the long term. However, a 15m distance exceeds the minimum standards in the Design Guide by 5m and should again ensure there is no detrimental harm to existing neighbours and the future occupiers residential amenity.
- 7.43 The vast majority of the development is set away from the industrial units along Hall Barn Road including its expansion currently being considered under planning application (16/00629/OUM). The developer has submitted a revised noise report that has been assessed by Environmental Health. The report indicates that the main source of noise is from Fordham Road, though even this has a noise level of 45dB at night time so is unlikely to affect future residents sleep. From the information provided it appears that the existing industrial units provide very little noise towards the development site; if the future industrial units are approved (16/00629/OUM) with no major openings facing the proposed dwellings (to be determined at reserved matters) it is very unlikely that they will cause detrimental noise pollution. The proposed industrial units have already got a suggested condition:
- “Prior to or with the submission of any reserved matters application for B2/B8 use, a noise assessment report shall be submitted to demonstrate the potential impact of activities on any nearby residents and any mitigation measures proposed to ensure noise levels are within government guidelines under BS4142 and BS8233. Mitigation measures shall be agreed in writing with the local planning authority and implemented prior to use and adhered to thereafter.”
- 7.44 It will be at the reserved matters stage (if approved) of both applications to demonstrate that they have taken into account the neighbouring uses. If both schemes are designed sensibly there will be no issue in regards to noise pollution between them.
- 7.45 While military aircraft do fly over the site, this is no different to most of the existing residents in Isleham, including those residents that live immediately to the north, west and south of the site. It is considered unreasonable to place a condition on the dwellings to enforce closed windows with alternative ventilation, as this goes against Policy LP26 of the Submitted Local Plan. An informative would be added to

any consent to warn future buyers about the military aircraft, comments from the MOD concerning this informative have been positive.

- 7.46 The suggested conditions by Environmental Health in regards to the need for conditions for a Construction Environmental Management Plan (CEMP), construction/delivery hours and potential unidentified contamination are all considered reasonable to protect existing/future residents. These conditions are therefore recommended by the Case Officer if the application is to be approved.
- 7.47 The proposal, subject to conditions, is in accordance with policies ENV2, ENV9 of the East Cambridgeshire Local Plan 2015 and LP19, LP22 of the Submitted Local Plan 2017.
- 7.48 Visual Amenity
- 7.49 The developer has provided some indicative sketches (drawing number EA129-PD-905 A) that demonstrates the potential different characters within the development, which would appear to provide a high quality realm, as part of a reserved matters application(s).
- 7.50 The development is providing a mix of single storey to two and a half storey dwellings, which is considered to match the mix of houses along Hall Barn Road, West Street and Fordham Road. With the majority of these existing properties being single to two storey, though there are examples of rooms in the roof space of nearby dwellings. It will be expected that the proposed development if approved will follow this approach, with only key focal buildings being two and a half storey.
- 7.51 While the loss of an open field will cause some harm to the rural character of the area, this harm is considered to be minimal as it does not extend the physical boundaries of the village and does not form a key rural view, as it is surrounded by development.
- 7.52 While there is a potential lack of informal space on site, the developer is providing a substantial amount of recreation ground for the Parish Council. The developer is, therefore, seeking to provide a landscape that is more defined by formal recreation space than informal landscape; this is not harmful to the character of the area that is partially defined by the adjacent recreation ground.
- 7.53 There is some concern that the developer is hoping to provide street trees that will not be adopted by the Local Highways Authority, but is something the Local Planning Authority is promoting in order to make attractive/pleasant streetscenes. This will need to be addressed as part of the reserved matters application.
- 7.54 It is considered that the proposal complies with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 7.55 Housing Mix
- 7.56 The developer is proposing 30% affordable dwellings that will comply with the Submitted Local Plan 2017 (Policy LP6), this would need to be secured via a S106 Agreement. If members wish this could be additionally controlled by ensuring that

local people have first option to these dwellings as part of the S106, which was sought by the local community and the Case Officer has no concerns over this requirement. The suggested mix of 77% rented and 23% shared ownership as requested by the Housing Strategy and Enabling Manager is based on the latest evidence and is therefore supported.

- 7.57 The developer is not wanting housing mix to be defined at this stage, which is not uncommon for an outline application but is suggesting that there will be 22% one/two beds, 32% three beds, 36% four beds and 10% five plus bed dwellings. This would provide a good range of dwellings that would cater for a wide variety of potential future residents.
- 7.58 They are offering that at least 5% of the properties will be bungalows, which would technically meet with the requirements of part c of ISL.H4 that seeks an element of bungalows. This requirement should be conditioned if the application is approved to ensure this level of bungalows will be brought forward. While the Case Officer was seeking approximately 10% bungalows, this is not considered to be reasonable to demand at this stage but will still be sought at reserved matters unless evidence proves this is not appropriate for this area.
- 7.59 With the scheme over 100 dwellings there is a S106 requirement for the developer to provide at least 5% self-build units as required under policy HOU1 of the Adopted Local Plan and LP6 of the Submitted Local Plan.
- 7.60 If this application is approved it will be for the reserved matters to demonstrate how it complies with policy HOU1 of the Adopted Local Plan in regards to its final housing mix. The application is, therefore, acceptable in this regard subject to suitable conditions and S106 wording.
- 7.61 Historic Environment
- 7.62 The Conservation Area is to the west of the site with several listed buildings being located to the north west of the site (non are adjacent).
- 7.63 The developer has submitted a Built Heritage Statement which states:

“The site forms a small part of the extended setting to St Andrew’s Church (Grade 1). Development proposal would result in a minimal visual change to views of the church, in a small part of its extended setting, and views which are exclusive to the development site. The proposals include areas of open space which allow for the retention of current views of the church from these locations, thereby retaining the Site’s contribution to the significance of the church and ensuring it is not harmed by the development proposals.

The site is located adjacent to the Conservation Area but forms a neutral part of its setting whereby it does not positively contribute to its significance. The proposals will bring the existing building line of the village limits closer to the Conservation Area’s western boundary, but this affords the opportunity to create a more aesthetically pleasing built edge and landscaped character in views looking out (west) of the Conservation Area than is currently possible. Consequently, the site

will retain its current neutral role within the setting of the Conservation Area and its significance would not be affected by the proposed development.”

- 7.64 In regards to St Andrews Church (Grade 1) the Case Officer agrees with the report that the only places you will be able to see its tower is from the central and northern parts of the site, with even these views being obscured by existing trees. The elements of the site that would allow views of the tower are private currently but would become public if the development was approved. The impact on this Grade I Listed Building is considered to be neutral to a minor benefit (as it might provide additional public viewpoints).
- 7.65 The impact on the Conservation Area (existing recreation ground) is considered to be minimal in principle but great care would be needed at reserved matters stage to ensure that the proposed dwellings viewable from the recreation ground were of high quality. The impact on the Conservation Area could range from less than substantial harm to moderate benefit depending on the final design. Even if the proposal cause less than substantial harm, the provision of dwellings (including affordable dwellings), public open space and the provision of an early years facility as public benefits would substantially outweigh this harm.
- 7.66 The Case Officer supports the request for a condition to be added to any approval to require a full archaeological assessment on site to ensure that no history is lost or unnecessary damaged by the proposal.
- 7.67 The proposal is considered to comply with policies ENV11, ENV12 of the Adopted Local Plan and Policy LP27 of the Submitted Local Plan, as well as the requirements of the NPPF.
- 7.68 Ecology
- 7.69 The development is supported by several ecological reports that highlight the potential impact, mitigation and enhancement measures required.
- 7.70 There is a pond approximately 200m from the edge of the site that has Great Crested Newts (GCNs) living within it. However, it is agreed with the developer’s specialist that it is unlikely that these GCNs will travel as far as the proposed development but in order to ensure the protection of this protected species a specialist fence should be conditioned to prevent them from being harmed by construction work.
- 7.71 The developer’s ecology team have also assessed that the site has negligible suitability for roosting bats, but nearby trees could support bat roosts. It recommends that street lighting is controlled and that bat boxes are installed facing southwards. This can be controlled via a condition to ensure the development enhances ecology in the area, therefore providing a net gain.
- 7.72 The site has no evidence of badger setts but might be used for foraging opportunities. The developer’s specialist advises that foraging areas for badgers are created and that it is advisable to check the site 3 months prior to start of the development.

- 7.73 In regards to birds it is recommended that the proposal provides species rich hedgerows (and other planting) and that at least 5 house sparrow terraces are installed, 10 integrated bird boxes and 1 kestrel nest box. This can be secured by way of a condition in regards to landscaping and biodiversity improvements.
- 7.74 No rare arable plants were detected on site but it is recommended that some wild grasses are planted, this again can be secured by way of conditions.
- 7.75 The proposal, if suitably conditioned, is in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2017.
- 7.76 Flood Risk and Drainage
- 7.77 The Environment Agency, Lead Local Flood Authority and Anglian Water are all supportive of the application subject to suitable conditions. With these conditions being considered reasonable and no reason to doubt the expertise of these organisations the proposal is considered to comply with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.
- 7.78 The comments made from the local population in regards to sewer capacity are therefore unfounded, due to the statement of Anglian Water who will hold the most up to date information. If additional works are required in the future or general maintenance works are needed, this would fall upon Anglian Water to provide at its own expense.
- 7.79 Any major development improves surface water drainage, as its drainage system has to be built above greenfield run off rate (40% climate change, plus allowance for future household extensions). Development, therefore, in the short term provides a substantial benefit to the drainage within the local area, as more water is kept on site than if it was a field. The long maintenance of the SuDS system will need to be controlled via the S106 Agreement where the Local Planning Authority would be expecting it to be maintained by a public body.
- 7.80 Contributions/S106
- 7.81 The developer is offering in the draft S106:
- Affordable Housing
  - Recreation Ground of 1 to 1.5 hectares
  - Bin Provision
  - Informal Open Space
  - A LEAP
  - SUDS
  - Library and Life Long Contribution
  - Provision of Nursery Site
  - Self Build Dwellings
  - Travel Plan Coordinator Contribution

- 7.82 The S106 will still require more work to ensure the maintenance standards are of a high quality, that the recreation ground has no powerlines above (developer will need to pay for them to be buried) and that County Council are not seeking any form of education contribution.
- 7.83 The maintenance of the 5m landscape strip will need to be controlled via the S106 if it is to be offered as public space or alternatively it is given to future residents and they have a minimum of 15m garden with a landscaped section at the rear.
- 7.84 Other Material Matters
- 7.85 Fire hydrants will be conditioned to ensure the proposal does not create unnecessary risk of a fire getting out of control. The proposal also provides a 3m wide pedestrian/emergency access point onto Fordham Road to ensure that emergency services have several means to access the site if needed.
- 7.86 Representation has been made that the only reason the Council is seeking to approve this application is to provide profits to the developer. The neighbour raising this concern has not provided any evidence of this accusation. From a planning point of view the profits of a developer only comes into consideration on this type of development when the developer is seeking to provide less than policy compliant affordable housing. With the developer offering policy compliant affordable housing this accusation holds no weight in the determination of this application.
- 7.87 Planning Balance
- 7.88 The Council is not able to demonstrate a continuous five year land supply. This means that a decision must be based on whether there is any significant and demonstrable harm that outweighs the benefits of the proposal. The lack of a five year land supply has a substantial and detrimental impact upon social and economic sustainability in an area, as there are limited homes for a workforce to occupy.
- 7.89 In terms of delivering a wide choice of high quality homes, there is no reason that the site could not be delivered within the next five year period making a contribution to the District's housing land supply which would be a benefit to which considerable weight should be given.
- 7.90 The benefits of this proposal are that it would provide a substantial amount of housing (including affordable for local people), land for a children's nursery and public open space.
- 7.91 The relevant experts have confirmed that the local roads, sewer system, education facilities, medical facilities can all cope with the development (though some of these require conditions, CIL or S106 Agreement).
- 7.92 It also been demonstrated, subject to conditions, that there will be no harm to drainage, heritage or ecology. The development will provide substantial benefits, at least in the short term and possibly long term, in regards to both drainage and ecology, as well as providing new historical understanding of the village.



7.93 There has been no significant or detrimental harm identified within the report (subject to suitable conditions/S106/CIL) and on this basis the application is recommended for delegated approval.

## 8.0 COSTS

8.1 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.

8.2 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.

8.3 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.

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

- The Council does not have a five year land supply and the site has been put forward under the Submitted Local Plan as one of the sites the Council has allocated for development.
- It is not for a developer to overcome existing problems, but to mitigate against its own impact.

## 9.0 APPENDICES

9.1 Appendix 1 – Suggested Conditions

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<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00363/OUM	Andrew Phillips Room No. 011 The Grange	Andrew Phillips Senior Planning Officer
17/00738/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.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

## APPENDIX 1 - 18/00363/OUM Conditions

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

Plan Reference	Version No	Date Received
PL06	A	25th June 2018
CSA/2946/109	A	19th March 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by MLM Consulting Engineers Limited (ref: 618316-MLM-ZZ-XX-RP-C-0001) dated 13/03/2018 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events.
- b) Full results of the proposed drainage systems modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers
- d) Full details of the proposed attenuation and flow control measures
- e) Site Investigation and test results to confirm infiltration rates;
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- g) Full details of the maintenance/adoption of the surface water drainage system;

h) Measures taken to prevent pollution of the receiving groundwater and/or surface water;

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

- 4 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 5 The highway (defined by any road that serves 5 or more dwellings) shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.
- 5 Reason: To ensure that the highways end appearance is acceptable and to prevent the roads being left in a poor/unstable state, in accordance with policies COM7 and ENV2 of the East Cambridgeshire adopted Local Plan April 2015 and LP17 and LP22 of the Submitted Local Plan 2017.
- 6 Prior to first occupation details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 6 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 7 No development shall take place within the site indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 7 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 and LP27 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as

access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.

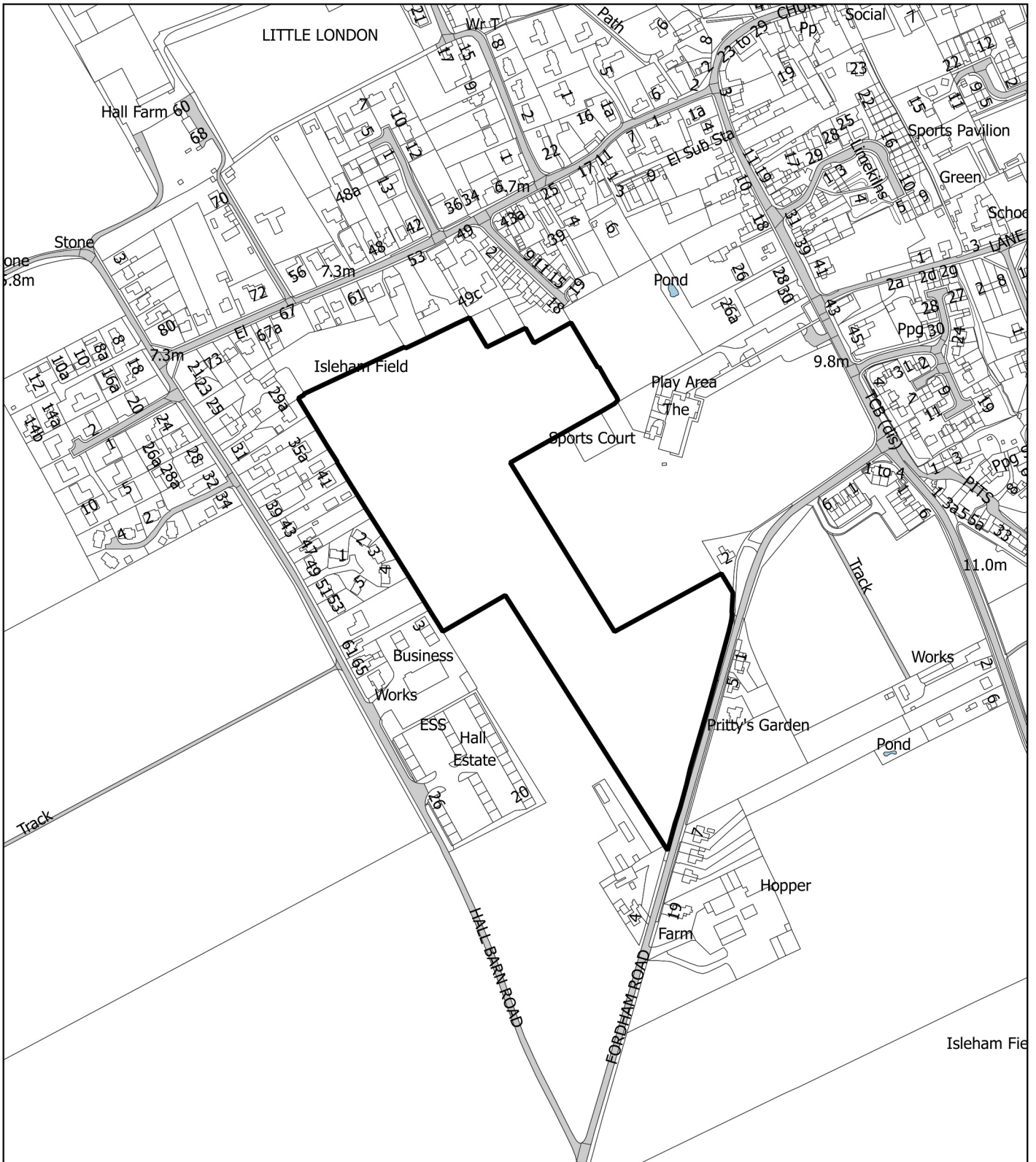
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours 08:00 - 18:00 each day Monday-Friday, 08:00- 13:00 Saturdays and none on Sundays or Bank Holidays/Public Holidays.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 10 No development shall take place until a scheme to dispose of foul has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of each phase.
- 10 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 11 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and LP26 of the Submitted Local Plan 2017.
- 12 No development shall take place in a phase of the development until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service in that phase has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative shall be installed and completed in accordance with the approved details prior to the occupation of that phase of the development.

- 12 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to permission being granted, however, the information is needed prior to commencement in order to ensure that the necessary infrastructure is able to be provided.
13. The developer will need to demonstrate that in each reserved matters that they have complied with the design principles set out in drawings CSA/2946/111 Rev B, CSA/2946/112 Rev A and CSA/2946/108 Rev H.
- 13 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 14 At least 5% of all the dwellings to be provided on the site shall be provided as bungalows (single storey dwellings). If the development is to be delivered in more than one phase, each reserved matters submission containing residential dwellings shall define the quantum and location of bungalows to be provided in that phase.
- 14 Reason: The application has been submitted on this basis and to accord with policy ISL.H4 of the Submitted Local Plan 2017.
- 15 Each reserved matters submission shall be supported by an updated energy and sustainability strategy for that phase of the development that demonstrates how that phase of the development will provide a 19% increase (as stated in Energy Statement, June 2018) above current building regulation (at the time of determination) by the provision of renewable energy technology and/or energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 15 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and LP23 and LP24 of the Submitted Local Plan 2017. This condition is pre-commencement as some of the measures may be below ground level.
- 16 Each reserved matters submission shall be supported by a scheme of biodiversity improvements to reflect the recommendations made within the Practical Ecology Extended Phase 1 Habitat Survey Report v3 dated March 2017, Rare Arable Plant Assessment V1 July 2017 and the Practical Ecology titled eDNA Results dated 11th, July 2017. The biodiversity improvements for that phase of the development shall thereafter be installed in accordance with a programme to be agreed in writing with the Local Planning Authority and thereafter maintained in perpetuity.
- 16 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2017.

- 17 Prior to any construction works taking place a Temporary Amphibian Fence (as required by the Practical Ecology Ltd technical note titled “eDNA Results” and dated 11th July 2017, (Pages 5 and 12) shall be installed and maintained during all construction phases.
- 17 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2017
- 18 Prior to first occupation of any given phase (defined by reserved matters submissions) a scheme of providing broadband for that phase shall be submitted to and agreed in writing with the Local Planning Authority.
- 18 Reason: In order to provide the fastest broadband reasonably possible in the locality to the future occupants (including working from home) in accordance with paragraph 43 of the National Planning Policy Framework, policy LP16 of the Proposed Local Plan and Growth 3 of the East Cambridgeshire Local Plan 2015.
- 19 Prior to first occupation visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan drawing number PL06 Rev A. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 19 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 20 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 20 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015 and LP17, LP22 and LP30 of the Submitted Local Plan 2017.
- 21 Notwithstanding the approved plan (drawing number PL06 Rev A), details of the emergency access shall be submitted either prior to or included within the first reserved matters submission and shall be agreed in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation.
- 21 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017. This condition is pre-commencement as some of the measures may be below ground level and relates directly to the outline application.
- 22 Prior to the first occupation of the development a Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented in accordance with the programme set out within the approved Travel Plan or any revisions to the Travel Plan that are first agreed in writing by the Local Planning Authority.

- 22 Reason: In the interests of sustainable movement in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 23 Prior to commencement of the development and concurrent with the first application for reserved matters, a phasing plan for the delivery of the development (including any self-build plots) shall be submitted to and approved by the Local Planning Authority.
- 23 Reason: The applicant has requested that the development be undertaken in a phased manner for the purposes of CIL. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.





18/00363/OUM

Land Accessed Between  
2 and 4 Fordham Road  
Isleham



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:5,000



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**MAIN CASE**

**Reference No:** 18/00448/FUL

**Proposal:** Demolition of Existing Outbuildings to allow for Proposed Residential Development Comprising of Three Bedroom Two Storey Dwelling, along with Access, Parking & Associated Site Works.

**Site Address:** Land Adjacent 20 Broad Piece Soham Ely Cambridgeshire CB7 5EL

**Applicant:** Mr J Fenn & Mrs V Stoneham

**Case Officer:** Richard Fitzjohn, Planning Officer

**Parish:** Soham

**Ward:** Soham North

Ward Councillor/s: Councillor Hamish Ross  
Councillor Ian Bovingdon  
Councillor Dan Schumann

**Date Received:** 9 April 2018      **Expiry Date:** 8<sup>th</sup> August 2018

[T71]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE the application for the following reasons:

1. The area of application site measures approximately 250 square metres, not meeting the 300 square metres plot size guidance set out within the East Cambridgeshire Design Guide SPD. In addition, the width of the application site is 9.3 metres, of which 8 metres would be taken up by the proposed dwelling. By virtue of its scale in relation to the modest size of the plot, the proposed dwelling would appear cramped and contrived within the site, creating a detrimental impact on the visual amenity of the street scene, contrary to Policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP28 of the Submitted Local Plan 2017.
2. The East Cambridgeshire Design Guide Supplementary Planning Documents states that the rear elevation of any dwelling to be located at least 10 metres from the rear boundary. The bedrooms windows within the first-floor rear elevation of the proposed dwelling would be located 7.6 metres and 8.9 metres from the rear boundary of the site which forms the neighbouring boundary with the garden of No.25 Broad Piece. Due to the close proximity of the first-floor bedroom windows to the neighbouring rear boundary, the

proposed dwelling would create significant overlooking and loss of privacy to the garden of No.25 Broad Piece to the detriment of the residential amenity of this property, contrary to Policy ENV2 of the East Cambridgeshire Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017.

3. It has not been satisfactorily demonstrated that the future occupiers of the proposed dwelling will not be adversely affected by odour from the nearby Soham Water Recycling Centre (Waste Water Treatment Works) to the detriment of residential amenity and the future operation of the Waste Water Treatment Works. As such it is contrary to policy CS31 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011, Policies ENV2 and ENV9 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP26 of the Submitted Local Plan 2017.

## 2.0 SUMMARY OF APPLICATION

- 2.1 Planning permission is being sought for the erection of a two-storey dwelling within the residential curtilage of No.20 Broad Piece. The proposed dwelling would measure 8m wide and 11.7m deep, with a ridge height of 7.9m and an eaves height of 4.8m. The external surfaces of the proposed dwelling would comprise through-colour rendered walls and slate grey colour roof tiles. The proposed development would include the demolition of an existing single-storey double garage. The proposed development would provide 2 car parking spaces for the proposed dwelling, served by an existing vehicular access, and 2 car parking spaces would also be retained by the existing dwelling.
  - 2.2 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.eastcamb.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
  - 2.3 This application has been called-in to Planning Committee by Councillor Carol Sennitt as she feels the application would add to the Council's housing, that this development should not be excluded because of the officer's concerns in respect of the rear-facing windows due to many developments being passed with the same, and also as she considers that the hedge at the back of this land still gives a lot of privacy.
- ## 3.0 PLANNING HISTORY
- 3.1 Off-site history (land to the rear of the application site including No.25 Broad Piece).

14/01229/RMA	Reserved matters application for residential development of two storey and a half dwellings including access, parking, turning & associated site works. (13/00553/OUT)	Approved	08.12.2014
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13/00553/OUT	Residential development of two storey and a half dwellings including access, parking, turning & associated site works.	Approved	03.10.2013
12/00083/OUT	Residential development of two detached bungalows including access, parking, turning & associated site works.	Approved	03.10.2012

#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located to the north-east side of Broad Piece, within the established development framework for Soham. The site forms part of the curtilage of an existing residential property, No.20 Broad Piece, comprising a single-storey double garage and part of the parking area and rear garden of No.20 Broad Piece. The site shares its north-west boundary with No.21 Broad Piece (a two-storey dwelling) and its north-east boundary with the rear garden of No.25 Broad Piece. The south-east boundary of the site would be shared with the host dwelling. The form and character of the area is mixed, with some dwellings sited near to the public highway and other dwellings set significantly back from the public highway or to the rear of other dwellings. The application site located within the Water Treatment Works Safeguarding Area which is a buffer zone around the nearby Soham Water Recycling Centre.

#### 5.0 RESPONSES FROM CONSULTEES

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

5.2 Soham Town Council – No concerns, comments or objections.

5.3 Ward Councillor Carol Sennitt – Calls-in the application to Planning Committee. Feels the application would add to the Council's housing supply. Believes the case officer is not happy about the rear facing windows, but there are many developments that have recently been passed with the same so feels that this should not be excluded for this reason. There is a very high hedge at the back of this land that still gives a lot of privacy.

5.4 Consultee For Other Wards In Parish - No Comments Received.

5.5 Local Highways Authority - No objections. Recommends conditions in respect of the following:

- No gates to be erected across the vehicle access
- Parking
- Pedestrian visibility 2m x 2m either side of the vehicle access

5.6 Anglian Water – “The site is situated in close proximity to Soham Water Recycling Centre. Soham WRC has been the subject of several detailed odour risk assessments over recent years, all of which have indicated a high probability of strong emissions from the WRC processes being detectable at the location of the proposed development. Given the proximity to the WRC boundary there is also potential for disturbance from mechanical plant and vehicle movements associated with the WRC operations.

The dispersion modelling and assessments to date have considered other sites around the WRC and will not have included empirical evidence (eg boundary surveys and sniff tests) specifically related to the land in question. Therefore, it is possible that the modelled odour dispersion over-predicts in the area of this site.

However, based on the existing evidence we would advise that the site is at risk of regular exposure to malodour from the WRC operation to an extent that would be expected to impair the amenity of the property. Whilst we acknowledge the existence of similar land use close by without an extensive history of complaint, the exposure of more receptors to the odour potential is in our view, likely to increase the potential for complaint.

We would strongly recommend the applicant undertakes an odour survey prior to the LPA deciding this application.”

5.7 CCC Growth & Development - No Comments Received.

5.8 Minerals and Waste Development Control Team - No Comments Received.

5.9 Waste Strategy (ECDC) –

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £43 per property.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number **43135897**, Sort Code **52-41-19**, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a

separate e-mail should also be sent to [waste@eastcambs.gov.uk](mailto:waste@eastcambs.gov.uk) detailing the payment amount and the planning reference number.

5.10 Neighbours – 2 neighbouring properties were notified of the application and a site notice was displayed near the site on 2<sup>nd</sup> May 2018. 1 representation has been received from the occupier of No.25 Broad Piece and this response is summarised below. A full copy of the responses are available on the Council's website.

5.10.1 Neighbour representation - No.25 Broad Piece, Soham

No objection to there being a dwelling on the site, however do not wish for any windows whatsoever to overlook the property of No.25 Broad Piece. The top two rear windows on the proposed dwelling would really overlook the neighbouring property of No. 25 Broad Piece. The windows on side elevation facing No. 21 Broad Piece are obscure, so would not cause a problem.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations  
Design Guide  
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated  
Flood and Water

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design

6.4 Submitted Local Plan 2017

LP1	A presumption in Favour of Sustainable Development
LP3	The Settlement Hierarchy and the Countryside
LP16	Infrastructure to Support Growth
LP17	Creating a Sustainable, Efficient and Resilient Transport Network

- LP22 Achieving Design Excellence
- LP23 Water Efficiency
- LP24 Renewable and Low Carbon Energy Development
- LP25 Managing Water Resources and Flood Risk
- LP26 Pollution and Land Contamination
- LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views
- LP30 Conserving and Enhancing Biodiversity and Geodiversity

6.5 Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011

CS31 Waste Water Treatment Works Safeguarding Areas

## 7.0 PLANNING COMMENTS

7.1 The main issues to consider when assessing this application relate to the principle of development and the impacts upon visual amenity, residential amenity and pollution, and highway safety and parking.

7.2 Principle of Development

7.2.1 The Council is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.

7.2.2 The benefits of this application are considered to be:- the positive contribution of the provision of an additional dwelling to the district's housing stock and the positive contribution to the local and wider economy in the short term through the construction of the new dwelling.

7.2.3 The application site is located within the development envelope of Soham. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is therefore considered to be in a sustainable location.

7.2.4 It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application. The main considerations in determining this application are therefore; whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development.

7.3 Visual amenity

7.3.1 The surrounding area is mixed in respect of the form, layout, styles and appearances of nearby dwellings. The proposed dwelling would be located between two existing dwellings, continuing the linear form of these dwellings to each side.

The location of the proposed dwelling would therefore not be out of keeping with the existing built form or character of the area.

7.3.2 However, the area of the application site is modest in size, measuring only approximately 250 square metres which falls short of the 300 square metres plot size guidance set out within the East Cambridgeshire Design Guide SPD. As a result of the modest size of the site in relation to the size of the proposed dwelling, the proposed development would appear cramped and contrived within the site, causing detrimental harm to the visual amenity of the street scene. Amendments have been sought by the case officer to reduce the scale of the proposed dwelling, however no amended plans have been received by the Local Planning Authority.

7.3.3 It is therefore considered that the proposed development is contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, Policies LP22 and LP28 of the Submitted Local Plan 2017 and guidance set out within the East Cambridgeshire Design Guide SPD.

#### 7.4 Residential amenity and pollution

7.4.1 Policy ENV2 of the East Cambridgeshire Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017 require proposals to ensure that there are no significantly detrimental effects on the residential amenity of existing and future occupiers of dwellings.

##### 7.4.2 Impacts on existing occupiers of nearby dwellings

7.4.2.1 The proposed dwelling would be located between No's 20 and 21 Broad Piece. No.21 has 1No. window on its side elevation facing the application site, however this window serves the neighbours garage and therefore the impact to this window is acceptable. The main two-storey of No.20 does not have any side elevation windows facing the application site. It does have side windows within the single-storey rear extension, however these are secondary windows and there primary windows are situated within the rear elevation which would not be significantly impacted. The proposed dwelling would only project 1.7m beyond the rear elevation of No.21, not creating any significant loss of outlook, loss of light or overbearing impact to this neighbouring property. The proposed dwelling projects further to the rear of the host dwelling No.20, however this neighbouring property would retain an acceptable level outlook and amenity. Furthermore, the proposed dwelling would be located to the north-west of this neighbouring host property and therefore would not create a significant loss of light.

7.4.2.2 The north-east boundary at the rear of the application site borders the garden of No.25 Broad Piece. This section of the boundary currently comprises a dense hedge and some trees to the opposite side within the garden of No.25. However, this planting cannot be relied upon to protect residential amenity as it could be removed, or die, in the future. The proposed dwelling includes two first-floor bedroom windows within its rear elevation facing the garden of No.25 Broad Piece. These windows would be distanced only 7.6 metres and 8.9 metres from the rear boundary of the site which adjoins the garden of No.25 Broad Piece. This distance fails to comply with guidance in the East Cambridgeshire Design Guide



Supplementary Planning Document which requires the rear elevation of any dwelling to be located at least 10 metres from the rear boundary.

7.4.2.3 Due to the close proximity of the first-floor bedroom windows to the neighbouring rear boundary, the proposed dwelling would create significant overlooking and loss of privacy to the garden of No.25 Broad Piece to the detriment of the residential amenity of this property, contrary to Policy ENV2 of the East Cambridgeshire Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017.

7.4.3 Impact on future occupiers of the proposed dwelling

7.4.3.1 The site is located within a safeguarding zone for Anglian Waters Soham Water Recycling Centre (WRC). Policy CS31 of the Cambridgeshire and Peterborough Minerals and Waste Plan 2011 relates specifically to Waste Water Treatment Works Safeguarding Areas and states the following:

7.4.3.2 “Within the Safeguarding Areas there is a presumption against allowing development, which would be occupied by people. This would include new buildings or changes of use of buildings to residential, industrial, commercial, sport and recreational uses. Where new development is proposed within the Safeguarding Areas involving buildings which would normally be occupied, the application must be accompanied by an odour assessment report. The assessment must consider existing odour emissions of the waste water treatment works at different times of the year and in a range of different weather conditions. Planning permission will only be granted when it has been demonstrated that the proposed development would not be adversely affected by the continued operation of the existing waste water treatment works.”

7.4.3.3 In addition, Policy ENV9 of the East Cambridgeshire Local Plan states that new development will not be permitted where there is a potential to conflict with existing developments that require particular conditions for their operation, where it would be likely to impose significant restrictions on the activities of the existing use in the future.

7.4.3.4 Anglian Water has stated that Soham WRC has been the subject of several detailed odour risk assessments over recent years, all of which have indicated a high probability of strong emissions from the WRC processes being detectable at the location of the proposed development. In addition, they have stated that, given the proximity to the WRC boundary, there is also potential for disturbance from mechanical plant and vehicle movements associated with the WRC operations.

7.4.3.5 As the odour risk assessments will not have included empirical evidence specifically related to the land in question, it is possible that the modelled odour dispersion over-predicts in the area of this site. However, based on the existing evidence, Anglian Water advise that the site is at risk of regular exposure to malodour from the WRC operation to an extent that would be expected to impair the amenity of the property and the exposure of more receptors to the odour potential is likely to increase the potential for complaint. Anglian Water strongly recommend the applicant undertakes an odour survey prior to the LPA deciding this application, however no details of an odour survey have been submitted with the application.

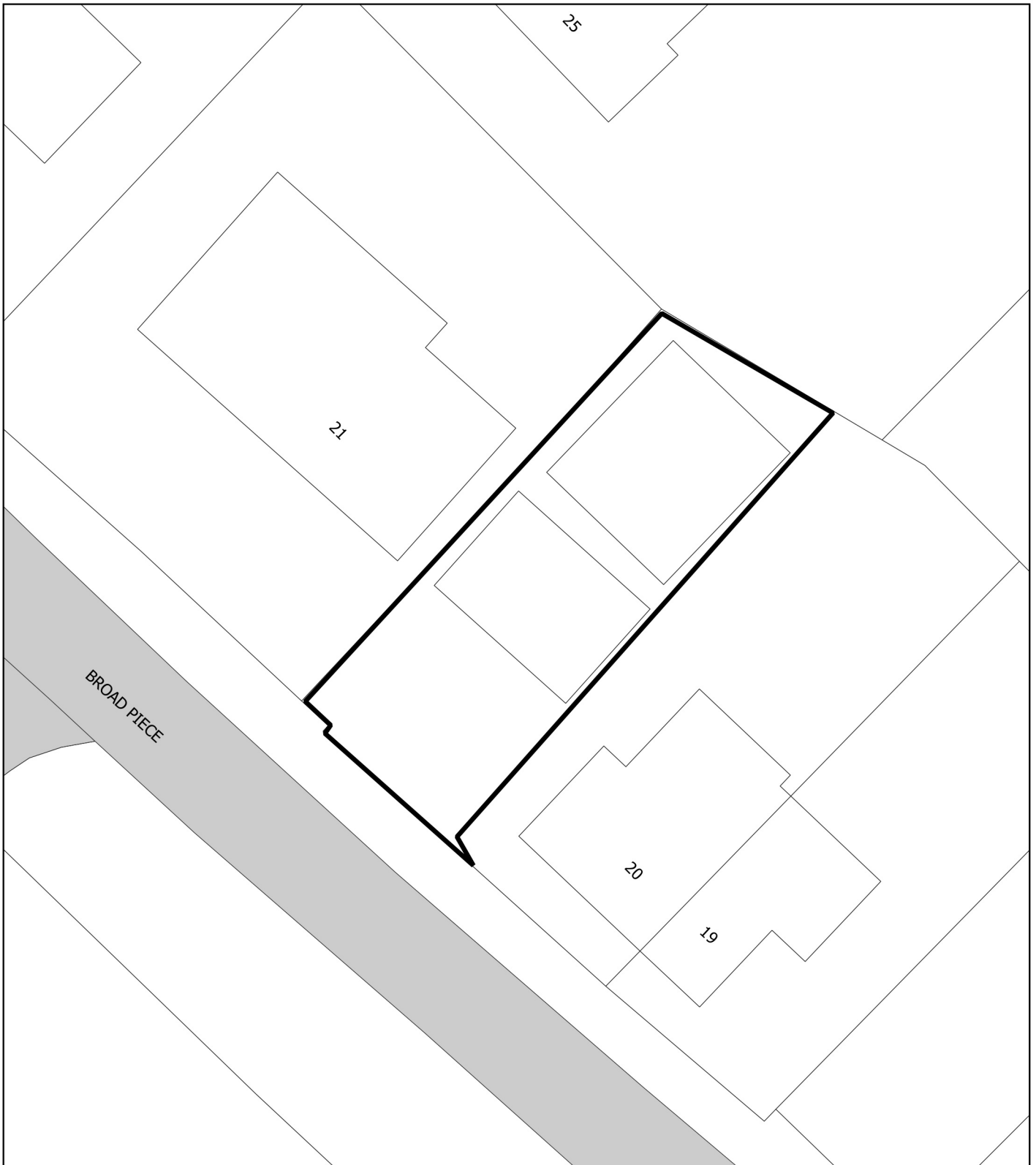
- 7.4.3.6 Due to the location and proximity of the proposed dwelling in relation to the Soham WRC, there is a possibility that the odour levels from the nearby sewage works would be unacceptable to future occupiers of additional new dwellings. No information has been submitted with the application to satisfactorily demonstrate that the future occupiers of the proposed dwelling would not be adversely affected by odour from the nearby WRC. The case officer acknowledges that there are existing residential dwellings located within the safeguarding zone, however this is not considered to be sufficient justification for an additional dwelling to be supported as an increase in dwellings would result in an increase in the number of residents affected and the likelihood of additional pressures regarding operations of the WRC.
- 7.4.3.7 It is therefore considered that the proposed development does not satisfactorily demonstrate that the future occupiers of the proposed dwelling will not be adversely affected by odour from the nearby Soham Water Recycling Centre (Waste Water Treatment Works), to the detriment of residential amenity and the future operation of the Waste Water Treatment Works. As such, the proposed development is contrary to policy CS31 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011, Policies ENV2 and ENV9 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP26 of the Submitted Local Plan 2017.
- 7.5 Highway safety and parking
- 7.5.1 The proposed development includes 2 car parking spaces for the proposed dwelling and would retain 2 car parking spaces for the host dwelling (No.20 Broad Piece), ensuring adequate parking provision which complies with Policy COM8 of the East Cambridgeshire Local Plan 2015. The parking provision for the host dwelling would comprise tandem parking which Policy LP22 of the Submitted Local Plan 2017 discourages. However, Policy LP22 of the Submitted Local Plan 2017 can only be given very limited weight at this stage and therefore the parking layout is considered acceptable. The Local Highway Authority has reviewed the application and has no objections in respect of highway safety. Therefore, it is considered that the proposed development would not create any detrimental impacts in respect of highway safety, in accordance with Policy COM7 of the East Cambridgeshire Local Plan 2015 and Policy LP17 of the Submitted Local Plan 2017.
- 7.6 Other Material Matters
- 7.6.1 The proposed development shows details of soakaways for disposal of surface water which is considered acceptable, in accordance with Policy ENV8 of the East Cambridgeshire Local Plan 2015 and policy LP25 of the Submitted Local Plan 2017.
- 7.7 Planning Balance
- 7.7.1 The benefits of the proposed development are the provision of an additional dwelling to the district's housing stock and the positive contribution to the local and wider economy in the short term through the construction of the new dwelling. The site is also located in a sustainable location within the established development framework.

7.7.2 However, on balance, it is considered that the benefits of the proposed development would be outweighed by the significant and demonstrable harm caused to the visual amenity of the street scene, in addition to the residential amenity of existing occupiers of neighbouring dwellings and future occupiers of the proposed dwelling. The proposal is therefore considered to be contrary to Policies ENV1, ENV2 and ENV9 of the East Cambridgeshire Local Plan 2015, Policies LP22, LP26 and LP28 of the Submitted Local Plan 2017, guidance set out within the East Cambridgeshire Design Guide SPD, and Policy CS31 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011.

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/00448/FUL	Richard Fitzjohn Room No. 011 The Grange Ely	Richard Fitzjohn Planning Officer 01353 665555 richard.fitzjohn@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>



18/00448/FUL

Land adjacent  
20 Broad Piece  
Soham



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:259



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**MAIN CASE**

**Reference No:** 18/00660/FUL

**Proposal:** Two storey extension to existing house.

**Site Address:** 13 Dovehouse Close Ely Cambridgeshire CB7 4BY

**Applicant:** Mr Nick Green

**Case Officer:** Chris Hancox, Planning Officer

**Parish:** Ely

**Ward:** Ely East  
Ward Councillor/s: Councillor Richard Hobbs  
Councillor Lis Every

**Date Received:** 16 May 2018      **Expiry Date:** 8<sup>th</sup> August 2018

[T72]

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**1.0 RECOMMENDATION**

1.1 Members are recommended to REFUSE this application for the following reason:

1 –Local Character & Design

The predominant pattern in the housing estate surrounding the application site is characterised by pairs of 1950s semi-detached houses to the north and 1970 style single bungalows to the south. The proposed two-storey side extension is to be constructed of dark grey bricks, some wooden cladding and to use wooden roof shingles on the long roof elevation, all of which are alien to the host building and the surrounding area. The extension has been designed to look visually separate to the host, which has been so successfully that it creates a 'terracing effect' that would be at odds with the predominant semi-detached two storey or semi-detached bungalow urban grain and layout of the surrounding area. The proposal will therefore have a detrimental effect on the character of the area due to this '*terracing effect*'.

The side garden area of the application site provides a green 'buffer' at a point of transition between the two building types and makes a contribution to the character of the development. The proposed side extension will reduce this green 'buffer', so will have a negative impact on this transitional space between the two building types and erode the positive contribution it provides to the streetscene.

The design and materials of the proposed extension relate neither to the semi-detached houses to the north nor to the bungalows to the south and is somewhat at odds in its appearance to the rest of the local area. The sensitivity of the position,

between the two-storey dwelling and bungalows, of the site, appears to have driven the long sloped roof of the contemporary design. However, this has created an awkward and unbalanced design, using alien materials, window shutters and a style that is not in-keeping. Although the contemporary design is not meant to be in-keeping, it does not achieve high quality juxtaposition design, so is completely at odds with the local area. In addition, doing very little to protect or enhance the host building. The proposal creates a visually intrusive extension, which causes significant demonstrable harm on the visual amenity of the host building and surrounding area that does not protect or enhance,

Therefore the proposal will have a detrimental impact on the design and character of the area, so is contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP28 of the Submitted Local Plan 2017.

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application seeks consent for the creation of a two storey side extension, plus a single storey extension behind. The two storey element of the proposal will facilitate a ground floor living room and first floor bedroom with ensuite, which is accessed through a new side opening to the host dwelling. The single storey element of the proposal will facilitate a dining room area, with access to the existing dwellings kitchen area and doors opening to the garden. The proposed exterior materials are timber shingles on the roof, grey aluminium windows, aluminium gutters and downpipes, aluminium solar shade (side elevation) and a dark grey facing brick (Luna Apollo).
- 2.2 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.**
- 2.3 The application was called-in to Planning Committee by Cllr Hobbs as he is "fully supportive" of the application as it "meets a very standard of design" and "the recommendation for refusal is one of a perceived view of the visual appearance".

## **3.0 PLANNING HISTORY**

- 3.1
- |              |                       |         |            |
|--------------|-----------------------|---------|------------|
| 08/00727/FUL | Proposed new dwelling | Refused | 08.09.2008 |
| 09/00262/FUL | Proposed new dwelling | Refused | 01.06.2009 |

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

- 4.1 The property is a residential two storey 1950s semi-detached dwelling, of a 1930s-40s design with the characteristic bay windows. The property is located on a large corner plot, so has a large side garden and smaller rear garden. The property has a high hedge that fronts the boundary following the highway around the corner. The front garden includes a narrow existing driveway that has parking to accommodate at least two cars.
- 4.2 The property is located on Dovehouse Close, within Ely development envelope, which is a residential side road defined with a linear pattern of development and a medium density urban grain. The surrounding streetscene appears to have two main characteristics of urban development, which are separated by a 90 degree bend in the road. The two storey 1950s semi-detached development is located to the north (which the application site is part of) and 1970s mainly bungalow development is the south.

## 5.0 **RESPONSES FROM CONSULTEES**

- 5.1 The full responses are available on the Council's web site.

City of Ely Council – Raises no concerns.

Ward Councillors – Fully supports the proposal and has called the application into committee. *“Whilst there are two neighbours that have raised concerns other near neighbours are supportive of this application. In my opinion this application meets a very standard of design. The recommendation for refusal is one of a perceived view of the visual appearance, which is a highly subjective area to refuse.”*

Consultee For Other Wards In Parish - No Comments Received

- 5.2 **Neighbours** – Nine neighbouring properties were notified and a site notice was posted and five responses were received. These are summarised below. A full copy of the responses are available on the Council's website.

32 DOVEHOUSE CLOSE – Object to the proposal, stating it is too large, contemporary design will be out-of-keeping with area, will create a terrace effect, not enough parking space and concern regards to overlooking.

36 DOVEHOUSE CLOSE – Supports the proposed extension and find it an interesting contemporary design.

42 DOVEHOUSE CLOSE – Raises concerns of the proposal, including out-of-keeping with the immediate area in terms of height and scale, and loss of privacy.

38 DOVEHOUSE CLOSE – Supports the proposal. In favour of the contemporary design and does not interrupt the building line.

11 DOVEHOUSE CLOSE – Supports the proposal with an in-keeping contemporary design and use of materials that appear to blend in.

## **6.0 The Planning Policy Context**

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2      Locational strategy  
ENV 1      Landscape and settlement character  
ENV 2      Design  
COM 8      Parking provision

### 6.2 Supplementary Planning Documents

Design Guide

### 6.3 National Planning Policy Framework 2012

7      Requiring good design

### 6.4 Submitted Local Plan 2017

LP3      The Settlement Hierarchy and the Countryside  
LP22      Achieving Design Excellence  
LP28      Landscape, Treescape and Built Environment Character, including Cathedral Views

## **7.0 PLANNING COMMENTS**

### **7.1 Principle of Development**

7.1.1      The site is within the development envelope, where in principle extensions to residential properties are considered acceptable subject to compliance with other local and material planning policies plus all other material planning considerations that form part of the planning balance for this application.

### **7.2 Previous Planning Refusals on the site**

7.2.1      There have been two previous planning permissions on the site, both for a separate dwelling to be located in the side garden area of the property:

08/00727/FUL	Proposed new dwelling	Refused	08.09.2008
09/00262/FUL	Proposed new dwelling	Refused	01.06.2009

Both applications have been refused on the grounds that the proposed two story properties would be out at odds with the characteristic semi-detached and single bungalow pattern of the area and would give a terracing effect. Detrimental effect on residential amenity, poor quality private amenity space and cramped and contrived.

### **7.3 Visual Amenity**



- 7.3.1 Policy  
Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP28 of the Submitted Local Plan 2017 require all proposed developments to be of high quality design and to protect or enhance the distinctive character of the area.
- 7.3.2 Proposal  
The proposal is to erect a contemporary two storey and small single storey side extension to the existing semi-detached dwelling, which is located on a 90 degree corner plot, which fronts the public highway on two elevations. Therefore the proposed extension will have a larger impact on the streetscene on both of these sides.
- 7.3.3 Contemporary Design  
The Council are a supporter of good contemporary design. Good contemporary design either takes reference from its local surroundings and/or takes a juxtaposition (two things being seen or placed close together with contrasting effect), however, this will need to be of extremely high quality and visually enhance both design principles.
- 7.3.4 Local Character  
The predominant pattern in the housing estate surrounding the application site is characterised by pairs of 1950s semi-detached houses to the north and 1970 style single bungalows to the south. The side garden area also provides a green 'buffer' at a point of transition between the two building types and makes a contribution to the character of the development.
- 7.3.5 The proposed two-storey side extension is to be constructed of dark grey bricks, some wooden cladding and to use wooden roof shingles on the long roof elevation, all of which are alien to the host building and the surrounding area. The extension has been designed to look visually separate to the host, which has been so successfully that it creates a 'terracing effect' that would be at odds with the predominant semi-detached two-storey or semi-bungalows urban grain and layout of the surrounding area. The officer notes that one of the reasons for the refusal of previous applications (08/00727/FUL and 09/00262/FUL) on the site for a new dwelling was due to a similar 'terracing effect' reason that was at odds with the predominant semi-detached two-storey or semi-detached bungalow character of the local area. The proposal will therefore have a detrimental effect on the character of the area due to this '*terracing effect*'.
- 7.3.6 The side garden area of the application site provides a green 'buffer' at a point of transition between the two building types and makes a contribution to the character of the development. The proposed side extension will reduce this green 'buffer', so will have a negative impact on this transitional space between the two building types and erode the positive contribution it provides to the streetscene.
- 7.3.7 Therefore the proposed extension would have a detrimental impact on the character of the surrounding area, so is contrary to Policy ENV1 and ENV2 of the East

Cambridgeshire Local Plan 2015 and Policy LP22 and LP28 of the Submitted Local Plan 2017.

7.3.8 Design

The predominant pattern in the housing estate surrounding the application site is characterised by pairs of 1950s semi-detached houses with a 1930s-40s design including the characteristic bay windows to the north and 1970s style bungalows to the south. The local area materials is mainly dark red and yellow bricks, plus dark concrete roof tiles. The proposed contemporary two storey extension will be located on the corner plot, having two elevations that are highly visible from the streetscene, so any proposal will have a significant impact on the local visual amenity.

7.3.9 The contemporary design and materials of the proposed extension relate neither to the semi-detached houses to the north nor to the bungalows to the south and is somewhat at odds in its appearance to the rest of the local area. The sensitivity of the position, between the two-storey semis and semi-bungalows, of the site, appears to have driven the long sloped roof of the contemporary design. However, this has created an awkward and unbalanced design, using alien materials, window shutters and a style that is not in-keeping. Although the contemporary design is not meant to be in-keeping, it does not achieve high quality juxtaposition design, so is completely at odds, doing very little to protect or enhance the host building or surrounding area. The proposal creates a visually intrusive extension, which causes significant demonstrable harm on the visual amenity of the host building and surrounding area that does not protect or enhance, so is contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP28 of the Submitted Local Plan 2017.

**7.4 Residential Amenity**

7.4.1 Policy ENV2 of the adopted East Cambridgeshire Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017, require proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers.

7.4.2 Concern has been raised by neighbours in terms of loss of privacy from No.42 and overlooking from No.32 Dovehouse Close, both on the other side of the public highway, with the extension facing their public elevations. Therefore even though there will be an impact to these neighbours, it is not considered detrimental harm as the proposal will only effect the already public elevations of these neighbours.

7.4.3 The proposed rear elevation of the extension will face the side elevation of No.15 Dovehouse Close (a bungalow). The 1<sup>st</sup> storey element of the proposal has sufficient distance not to have an overbearing or overshadowing effect and has no windows that might cause overlooking. The ground floor single storey element of the proposal has a low mono-pitch roof and is sufficiently far enough from the neighbouring boundary, not to have an adverse effect on their residential amenity.

7.4.4 The proposal does not cause detrimental harm to the neighbours residential amenity, so complies with Policy ENV2 of the adopted East Cambridgeshire Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017,

## **7.5 Highways/Parking**

7.5.1 The proposed side extension will be removed, some of the existing driveway and one car parking space, while creating an extra car parking space in the front garden, maintaining a similar tandem car parking arrangement. Concern has been raised that the proposed extension to the front driveway into the front garden area will not be sufficient to accommodate the car parking. The plans indicate that a two car tandem parking arrangement can still be maintained on the site, would comply with the current car parking Policy COM8 of the East Cambridgeshire Local Plan 2015. The case officer does note that the Policy LP22 of the Submitted Local Plan 2017 does not support tandem car parking, but has a low weighting as it has not yet been adopted and has received substantial objection to it.

## **7.6 Other Material Matters**

7.6.1 If members are minded to approve the application, a materials condition should be applied to the decision.

## **7.7 Planning Balance**

7.7.1 The proposed side extension does not have a detrimental impact on car parking for the site and does not cause unacceptable harm to the residential amenity of the neighbouring occupiers. However, this is out-weighed by the proposal causing significant and demonstrable harm to the visual amenity of the host building and character of the surrounding area, which does not do enough to visually protect or enhance the streetscene. The proposal is therefore contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP28 of the Submitted Local Plan 2017, which require all proposed developments to be of high quality design and to protect or enhance the distinctive character of the area.

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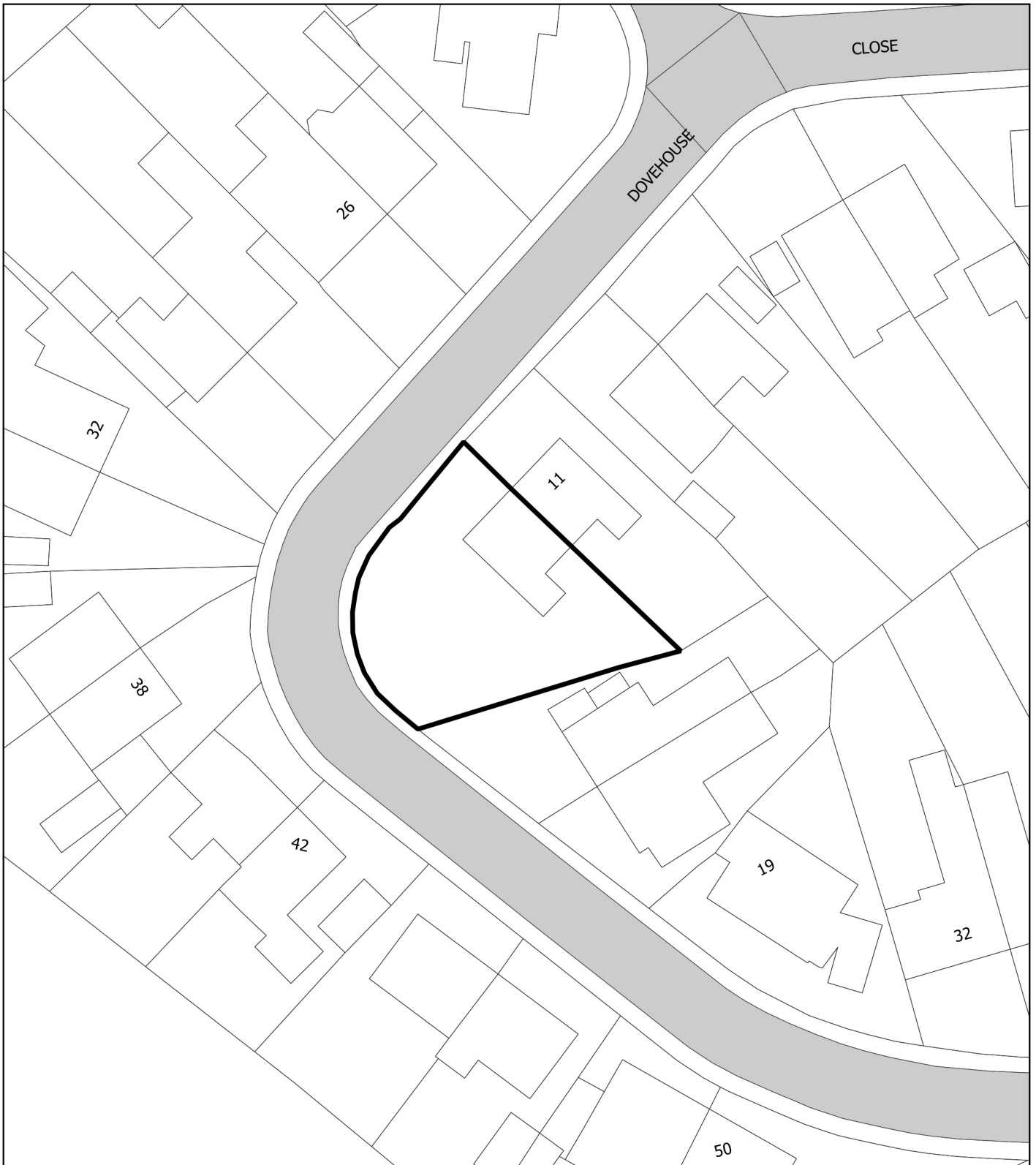
<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/00660/FUL	Chris Hancox Room No. 011 The Grange	Chris Hancox Planning Officer 01353 665555 chris.hancox@eastc amb.s.gov.uk
08/00727/FUL 09/00262/FUL	Ely	

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>



18/00660/FUL

13 Dovehouse Close  
Ely



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:500



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**MAIN CASE**

**Reference No:** 18/00667/OUT

**Proposal:** Detached house and garage

**Site Address:** 45 East Fen Road Isleham Ely Cambridgeshire CB7 5SW

**Applicant:** Mr Ivan Cox

**Case Officer:** Richard Fitzjohn, Planning Officer

**Parish:** Isleham

**Ward:** Isleham  
Ward Councillor/s: Councillor Derrick Beckett

**Date Received:** 4 June 2018      **Expiry Date:** 3<sup>rd</sup> August 2018

[T73]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE the application for the following reason:

1. The existing dwellings on the north side of East Fen Road comprise single-depth, linear development fronting the public highway, with gardens and agricultural fields to the rear of the dwellings. The proposed dwelling would be located to the rear of 45 East Fen Road where it would comprise back land development. There are no existing examples of back land development and there is no contextual basis for back land development within the locality. Therefore, the proposed development is contrary to guidance in the East Cambridgeshire Design Guide Supplementary Planning Document which states that back land development will only be acceptable if supported by a contextual analysis of the locality. Furthermore, by extending residential built form against the linear grain of development on the northern edge of the village, the proposed development would cause significant harm to the character and appearance of the area and could potentially set a precedent for further back land development in the locality, contrary to Policies ENV1, ENV2, HOU2 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP28 of the Submitted Local Plan 2017.

## 2.0 SUMMARY OF APPLICATION

2.1 Outline planning permission, with all matters reserved, is being sought for the erection of 1No. dwelling and garage on land to the rear of 45 East Fen Road, Isleham.

2.2 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.**

2.3 This application has been called-in to Planning Committee by Councillor Derrick Beckett on the grounds that there are other developments of this nature in the village and he believes it is in the public interest for it to be debated by Committee.

## 3.0 PLANNING HISTORY

3.1

17/02090/OUT	Residential development for 2no. detached houses and garages	Withdrawn 02.02.2018
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## 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located on the northern edge of, but within, the established development framework for Isleham. The site comprises land to the rear of a two-storey residential property, No.45 East Fen Road, which can be accessed by a vehicular track adjacent to the east boundary of the host dwelling that currently provides access to the agricultural land to the north of the site. The site is also situated rear of other residential properties along the north side of East Fen Road where the residential built form comprises single-depth, linear development fronting the public highway.

## 5.0 RESPONSES FROM CONSULTEES

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

5.2 Isleham Parish Council – Recommends outright refusal of planning permission. Isleham Parish Council does not believe the reduction in the number of proposed properties for this site address their previous objections (submitted 19<sup>th</sup> December 2017 for 17/02090/OUT). Isleham Parish Council's concerns remain the same. Specifically that:

- This development should be considered in the context of the emerging Local Plan which includes the development of over 200 houses within our village.
- This particular development would result in the further erosion of our 'village fringe' (see 17/01729/FUL) and would clearly set a precedent for further developments at the rear of number 47 and 49 East Fen.

- Should this application be approved we would ask that the condition is made that a 'solid road' surface is applied to the access road.

5.3 Ward Councillor Derrick Beckett – Requests the planning application is called into Committee on the grounds that there are other developments of this nature in the village and he believes it is in the public interest for it to be debated by Committee.

5.4 Cambridgeshire Archaeology – Records indicate that the site lies in an area of high archaeological potential, situated on the eastern edge of the historic village of Isleham. To the west are the scheduled earthwork remains of fish ponds, hollowed lanes and platforms that were part of Isleham Priory (National Heritage List for England ref 1013278, Cambridgeshire Historic Environment Record reference DCB221). The only remaining standing priory building at Isleham is the Chapel of St Margaret of Antioch, a Grade I Listed Building (DCB713) to the north of which lie the buried foundations of the convent buildings and the earthwork remains of the associated agricultural complex (07528). Archaeological investigations to the west of the proposed development at Ellwoods Close revealed evidence of significant Saxon, medieval and post-medieval occupation as well as artefact evidence which suggest the location of a high status Roman building in the vicinity (ECB4634). Investigations at Church Lane revealed significant evidence of Prehistoric, Roman, medieval and post-medieval occupation (ECB4610). Further archaeological investigations at Priory Gardens (CB15283) and Beck Road revealing further evidence of medieval and post-medieval occupation (MCB18442). In addition, to the north of the application area is Neolithic settlement site (11281).

Cambridgeshire Archaeology does not object to the proposed development but considers that the site should be subject to a programme of archaeological investigation secured by planning condition due to a high probability of architectural finds in this location.

5.5 Local Highways Authority - No objections. The applicant has overcome the highways concerns and objections highlighted in the withdrawn application 17/02090/OUT.

Recommend conditions relating to parking and turning, access width and visibility splays to accord with the submitted drawing with no boundary feature with the highway above 0.6m in height.

5.6 CCC Growth & Development – No comments received.

5.7 Environmental Health - Broadly accept the conclusions of the Enviroscreen report supplied with the application. The site appears to be at low risk of land contamination and recommends that a condition requiring further work is not required. However, old maps show a canal on the western boundary which is no longer present and is presumably filled in. As this application is for a sensitive end use (residential), recommends a condition in respect of unexpected contamination.

5.8 Waste Strategy (ECDC) –



- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £43 per property.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number **43135897**, Sort Code **52-41-19**, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to [waste@eastcambs.gov.uk](mailto:waste@eastcambs.gov.uk) detailing the payment amount and the planning reference number.

5.9 Middle Fen and Mere Internal Drainage Board – The application is outside of the Middle Fen and Mere Internal Drainage District. The Board have no comment to make from a drainage viewpoint.

5.10 Neighbours – A site notice was displayed near the site on 25<sup>th</sup> June 2018 and 15 nearby properties were directly notified of the application by letter. No representations have been received from occupiers of nearby properties.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact

COM 8 Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations  
Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated  
Flood and Water

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment

6.4 Submitted Local Plan 2017

- LP1 A presumption in Favour of Sustainable Development
- LP3 The Settlement Hierarchy and the Countryside
- LP16 Infrastructure to Support Growth
- LP17 Creating a Sustainable, Efficient and Resilient Transport Network
- LP22 Achieving Design Excellence
- LP23 Water Efficiency
- LP24 Renewable and Low Carbon Energy Development
- LP25 Managing Water Resources and Flood Risk
- LP26 Pollution and Land Contamination
- LP27 Conserving and Enhancing Heritage Assets
- LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views
- LP30 Conserving and Enhancing Biodiversity and Geodiversity

7.0 PLANNING COMMENTS

7.1 The main issues to consider when assessing this application relate to the principle of development and the impacts on the character and appearance of the area, residential amenity and highway safety.

7.2 Principle of Development

7.2.1 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as whole.

- 7.2.2 The application site is located within the established development framework for Isleham, where the principle of development is generally considered to be acceptable, subject to all other material planning considerations being satisfied.
- 7.3 Character and appearance of the area
- 7.3.1 The existing dwellings on the north side of East Fen Road comprise single-depth, linear development fronting the public highway, with gardens and agricultural fields to the rear of the dwellings. The proposed dwelling would be located to the rear of the host dwelling and other dwellings along the northern side of East Fen Road, where it would comprise back land development.
- 7.3.2 The East Cambridgeshire Design Guide states the following in regard to back land development:
- Back land development (one dwelling built behind another) will only be acceptable if supported by a contextual analysis of the locality (particularly with reference to the point below about large houses);
  - There must be sufficient space to allow for an access road to the rear, the width of which may be determined by the status of any adjoining highway;
  - Adequate protection against noise and disturbance must be provided for the host dwelling;
  - Consideration should be given to the inclusion of adjacent land, to avoid piecemeal development. Applications may be refused if it cannot be demonstrated that the possibility of a more comprehensive development has not been explored;
  - The fact that there may be space within the curtilage to construct a dwelling, will not, in itself, be sufficient justification for doing so;
  - There can be no presumption that large houses in extensive curtilages should be able to subdivide the garden ground into smaller plots. It is important to retain a stock of housing that can accommodate the growth aspirations of Ely and the larger settlements in East Cambridgeshire, where there will be a demand for 'executive' style dwellings.
- 7.3.3 In respect of assessing whether there is a contextual basis for back land development within the locality, the case officer has conducted this assessment on the northern side of East Fen Road where the proposed development would be located, as this would be where the visual impact would occur.
- 7.3.4 It is acknowledged that there is an example of a back land dwelling (No.8A East Fen Road) to the rear of No.8 East Fen Road, located further to the south of East Fen Road towards the junction of East Road/Sheldrick's Road. A planning application (ref: 09/00647/FUL) for this dwelling was allowed on appeal, following refusal of planning permission by the Local Planning Authority in 2009 for the following reason:

- 7.3.5 *“The site currently comprises the rear garden of No. 8, and the new dwelling would be sited behind the existing dwelling, set back more than 30m from the road. The eastern side of East Fen Road is characterised by a single row of frontage development, all set back a similar distance from the road (between approximately 7.5m and 13m). Introducing a dwelling to the rear of No. 8 would be completely at odds with this spatial layout, and out of keeping with the character of the area. Furthermore, it would have a detrimental impact on the setting of the village, as it would bring substantial built development much closer to the boundary with the countryside. At present, the large rear gardens of the dwellings on the east side of East Fen Road provide something of a ‘green buffer’ between the dwellings and the countryside beyond. Introducing a dwelling into the rear garden of No. 8 would erode this. This impact would be exacerbated by the fact that the proposed dwelling would be taller than the existing dwelling and therefore more visually dominant. Allowing residential development in this location would also make it difficult to resist proposals for similar development in the rear gardens of the other dwellings on the east side of East Fen Road, the cumulative impact of which would have a severely detrimental impact on the setting of the village. For these reasons, the proposal would be contrary to policies 28, 58 and 59 of the East Cambridgeshire District Local Plan, 2000, policies EN1 and EN2 of the Emerging Core Strategy, and policies SS1 and ENV7 of the East of England Plan, 2008, Planning Policy Statement 1 and Planning Policy Statement 3.”*
- 7.3.6 However, this appeal was allowed prior to adoption of the East Cambridgeshire Design Guide Supplementary Planning Document which provides additional weight to refusing planning applications for back land development in locations where it is out of character with the locality. Furthermore, No.8A East Fen Road is distanced more than 150m away from the application site and does not form part of the northern edge of the village which would be impacted, therefore not providing a contextual basis for back land development on the application site.
- 7.3.7 It is considered that there are no existing examples of back land development and there is no contextual basis for back land development within the locality which would make the back land nature of the proposed development acceptable. Therefore, the proposed development is contrary to guidance in the East Cambridgeshire Design Guide Supplementary Planning Document which states that back land development will only be acceptable if supported by a contextual analysis of the locality.
- 7.3.8 By extending residential built form against the linear grain of development on the northern edge of the village, the proposed development would cause significant detrimental harm to the character and appearance of the area and could potentially set a precedent for further back land development in the locality, contrary to Policies ENV1, ENV2, HOU2 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP28 of the Submitted Local Plan 2017.
- 7.4 Residential amenity
- 7.4.1 The application seeks outline planning permission with all matters reserved. Therefore, no specific details relating to matters of layout, scale and appearance can be assessed as part of this application. However, it is considered that a single dwelling could be accommodated with the application site without creating any

significant impacts on neighbouring with regards to overlooking, overbearing, loss of light and loss of outlook. The access to the proposed dwelling would be via an existing vehicular access and the intensification of this use for vehicles serving 1No. dwelling would not be likely to create any significant issues in respect of noise or light disturbance.

7.4.2 It is therefore considered that the proposed development would not cause any significant detrimental impacts to the residential amenity of the host dwelling or neighbouring dwellings, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017.

## 7.5 Highways

7.5.1 The application site is served by an existing vehicular access along the track to the east of the host dwelling. There is adequate space within the application site to provide parking for 2 cars and adequate turning provision, as demonstrated on the submitted indicative plan. Furthermore, the Local Highway Authority has stated they have no objections and that the applicant has overcome the highways concerns and objections highlighted in the withdrawn application 17/02090/OUT.

7.5.2 Isleham Parish Council has asked that, should this application be approved, a condition is made that a 'solid road' surface is applied to the access road. The Local Highway Authority has not advised, at this stage, that this would be required to make the access safe to serve a residential dwelling. However, this application seeks outline planning permission with all matters reserved, and therefore specific matters of access and landscaping are not being considered. Consideration of details of access/driveway surfacing would be considered as part of a separate application if Members were to approve this application.

7.5.3 It is therefore considered that the proposed development would not cause any significant detrimental impacts in respect of highway safety or parking, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and Policies LP17 and LP22 of the Submitted Local Plan 2017.

## 7.6 Archaeology

7.6.1 Cambridgeshire Archaeology has stated that records indicate the application site lies in an area of high archaeological potential. Cambridgeshire Archaeology does not object to the proposed development but considers that the site should be subject to a programme of archaeological investigation secured by planning condition due to a high probability of architectural finds in this location.

7.6.2 If Members are minded to approve this application, it is considered that a condition requiring an archaeological investigation should be appended.

## 7.7 Other Material Matters

7.7.1 The application site is located in Flood Zone 1 where the principle of development is considered acceptable in drainage terms.

- 7.7.2 The Council's Environmental Health department has stated that site appears to be at low risk of land contamination and recommends that any unexpected contamination could be controlled through condition.
- 7.8 Planning Balance
- 7.8.1 The benefits of the proposed development are the provision of an additional dwelling to the district's housing stock and the positive contribution to the local and wider economy in the short term through the construction of the new dwelling. The site is located within a sustainable location within the established development framework. In addition, the proposed development is considered acceptable in respect of its impacts upon residential amenity, highway safety and archaeology.
- 7.8.2 However, on balance, it is considered that the benefits of the proposed development would be outweighed by the significant and demonstrable harm which would be caused to the character and appearance of the area, contrary to policies ENV1, ENV2 and HOU2 of the East Cambridgeshire Local Plan 2015, policies LP22 and LP28 of the Submitted Local Plan 2017 and guidance set out within the East Cambridgeshire Design Guide Supplementary Planning Document. Therefore, the application is recommended for refusal for the reasons set out within paragraph 1.1 of this report.

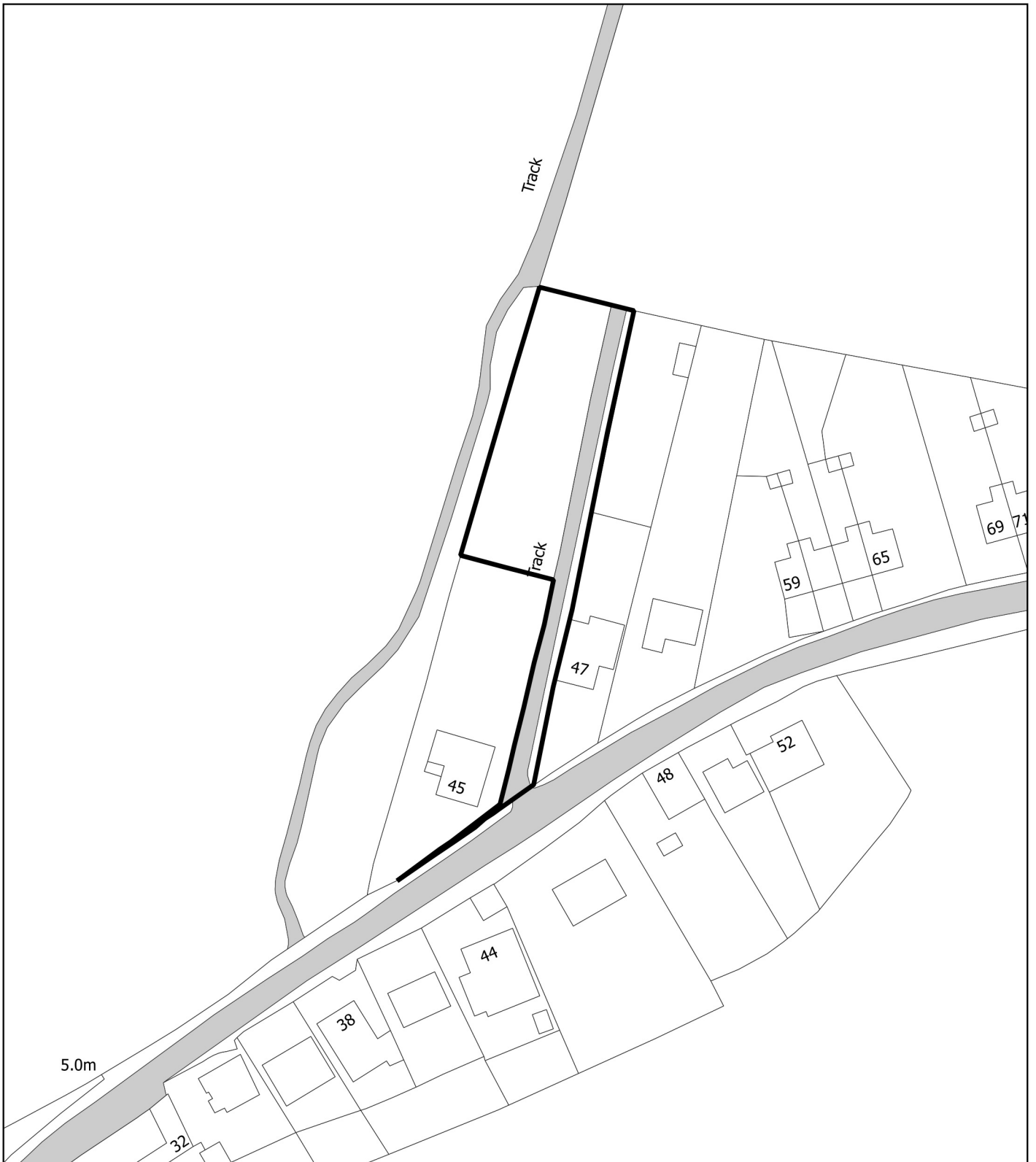
<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/00667/OUT	Richard Fitzjohn Room No. 011 The Grange	Richard Fitzjohn Planning Officer 01353 665555
17/02090/OUT	Ely	richard.fitzjohn@ea stcambs.gov.uk

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>



18/00667/OUT

45 East Fen Road  
Isleham



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:1,000



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**MAIN CASE**

**Reference No:** 18/00707/VAR3M

**Proposal:** To Vary Condition 1 and Condition 7 of previously approved 16/01159/FU3 for Change of use to car park, together with a footpath link from existing car park and associated external works

**Site Address:** Site South East Of Former Bowling Alley The Dock Ely  
Cambridgeshire

**Applicant:** East Cambridgeshire District Council

**Case Officer:** Richard Fitzjohn, Planning Officer

**Parish:** Ely

**Ward:** Ely East  
Ward Councillor/s: Councillor Richard Hobbs  
Councillor Lis Every

**Date Received:** 25 May 2018      **Expiry Date:**  
24 August  
2018

[T74]

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1.0 **RECOMMENDATION**

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

- 1 Approved plans
- 2 Specified materials
- 3 Flood Risk Assessment
- 4 Surface water disposal
- 5 PD - No structures
- 6 Car park layout and drainage
- 7 Soft landscaping scheme
- 8 Soft landscaping maintenance
- 9 Structures
- 10 Lighting and lux details



## 2.0 SUMMARY OF APPLICATION

- 2.1 Permission is being sought to vary condition 1 (approved plans) and condition 7 (car park layout and drainage) to reduce the number of disabled car parking spaces within The Dock car park from 8 spaces to 3 spaces. The proposed variation would increase the total capacity of the car park, providing an additional 2 car parking spaces and a motorcycle parking space.
- 2.2 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.**
- 2.3 This application is to be determined by the Planning Committee as the applicant is East Cambridgeshire District Council.

## 3.0 PLANNING HISTORY

### 3.1

16/01159/FU3	Change of use to car park, together with a footpath link from existing car park and associated external works	Approved	02.02.2017
16/01159/DISA	To discharge conditions 5 (drainage), 11 (structures, CCTV, lamposts), 12 (lighting) and 13 (Construction Environmental Management Plan) of Decision dated 03/02/2017 for the change of use to car park, together with a footpath link from existing car park and associated external works	Conditions Discharged	22.05.2017
16/01159/DISB	To discharge conditions 5 (Drainage), 8 (Soft landscaping), 9 (Soft landscaping maintenance) and 11 (Structures) of planning permission 16/01159/FU3, for Change of use to car park, together with a footpath link from existing car park and associated external works.	Conditions Discharged	31.10.2017

#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located along The Dock, surrounded to the north, west and south by The Dock Business Park, Cambridgeshire Business Park (including the County Council records building) and Angel Drove Car Park. A large Tesco superstore and Ely Train Station are located within close proximity to the north-east of the site. The site comprises a 128-space car park recently constructed following the approval of planning permission 16/01159/FU3.

#### 5.0 RESPONSES FROM CONSULTEES

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

5.2 City of Ely Council – No concerns.

5.3 Ward Councillors - No Comments Received.

5.4 Consultee For Other Wards In Parish - No Comments Received.

5.5 East Cambridgeshire Access Group – Supports the adjustment as the agreement allowed the spaces to be returned to accessible parking if the need arose in the future. All development should comply with BS8300:2009 and Building Regulation Part M.

5.6 Local Highways Authority - No Comments Received.

5.7 Design Out Crime Officers – Has viewed the documents in relation to crime and disorder and have no comments regarding the variation at this stage.

5.8 A site notice was displayed on 7<sup>th</sup> June 2018 and a press advert was published in the Cambridge Evening News on 28<sup>th</sup> June 2018. No representations have been received.

#### 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
COM 7	Transport impact
COM 8	Parking provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution

## 6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

## 6.3 National Planning Policy Framework 2012

4 Promoting sustainable transport

7 Requiring good design

11 Conserving and enhancing the natural environment

## 6.4 Submitted Local Plan 2017

LP1A presumption in Favour of Sustainable Development

LP2 Level and Distribution of Growth

LP17 Creating a Sustainable, Efficient and Resilient Transport Network

LP22 Achieving Design Excellence

LP25 Managing Water Resources and Flood Risk

LP26 Pollution and Land Contamination

LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views

LP30 Conserving and Enhancing Biodiversity and Geodiversity

LP16 Infrastructure to Support Growth

## 7.0 PLANNING COMMENTS

7.1 The main issue to consider when determining this application relates to parking provision.

### 7.2 Parking provision

Policy COM 8 of the East Cambridgeshire Local Plan and policy LP22 of the Submitted Local Plan 2017 relate to parking provision. The East Cambridgeshire Local Plan 2015 is the adopted Local Plan and therefore policy COM8 currently carries significantly more weight than policy LP22 when determining planning applications.

Policy COM8 states that development proposals should provide adequate levels of car and cycle parking, and make provision for parking broadly in accordance with the Council's parking standards (including parking for people with impaired mobility). In the case of public car parks, the Council's parking standards require 6% of the total car park capacity to comprise disabled car parking spaces.

The car park currently comprises 128 spaces, including 8 disabled car parking spaces. 6% of the total capacity of The Dock car park equates to 8 disabled car parking spaces. Therefore, the current provision of 8 disabled parking spaces

accords with the parking standards set out within Policy COM8 of the East Cambridgeshire Local Plan 2015.

The proposed variation would remove 5 disabled car parking spaces, leaving a total of 3 disabled car parking spaces. This would result in an under-provision of 5 disabled car parking spaces, not meeting the Council's parking standards set out within policy COM8.

The applicant has conducted a daily parking survey within the car park between 1<sup>st</sup> December 2017 and 18<sup>th</sup> March 2018, whereby the Open Spaces and Facilities Manager visited the car park twice a day (one AM visit and one PM visit) and recorded how many disabled car parking spaces were occupied at the time of the visit. During this survey period, the maximum number of disabled car parking spaces which were occupied at the time of the Open Spaces and Facilities Manager's visits was 3 spaces, with only a single occurrence of this on 11<sup>th</sup> January 2018.

Other than on this occasion, during the same survey period, the amount of disabled car parking spaces which were occupied at the time of the Open Spaces and Facilities Manager's visits varied between 0-2 spaces. At no time during the survey period did the Open Spaces and Facilities Manager record more than 3 disabled car parking spaces being occupied.

Although the proposed variation would result in an under-provision of 5 disabled car parking spaces in policy terms, the results of the parking survey indicate that the disabled car parking spaces are currently being significantly under-utilised.

The parking survey was also conducted at the nearby Angel Drove car park which provides 3 disabled car parking spaces. It should be noted that at no time during the survey did the Open Spaces and Facilities Manager record the disabled car parking spaces in the Angel Drove car park being fully occupied.

The East Cambridgeshire Access Group has commented that they are happy with the proposed variation as the agreement allowed the spaces to be returned to accessible parking if the need arose in the future. Any such agreement is outside of the controls of planning and it is considered that a condition could not be appended to the variation of condition requiring this as it would not be precise or enforceable. It is expected that the applicant will continue to monitor the availability of disabled car parking within the car park and will not discriminate against those with a disability.

Based on the results of the parking survey, it is considered that there is sufficient justification to support the proposed variation to reduce the number of disabled car parking spaces from 8 spaces to 3 spaces in The Dock car park, despite it not being compliant with the Council's parking standards set out within Policy COM8.

### 7.3 Other matters

The wording of a number of other conditions relating to this Variation of Condition application have been amended from the wording shown on the original planning permission (ref: 16/01159/FU3) or removed entirely. The purpose of this is to

reflect the fact that those conditions have previously been discharged and/or due to the car park development having already been implemented.

#### 7.4 Planning Balance

The proposed variation does not comply with the Council's parking standards set out within Policy COM8. However, based on the results of the parking survey, on balance, it is considered that sufficient justification has been put forward by the applicant to demonstrate that the proposed variation would not result in a lack of disabled parking provision in the car park. The application is therefore recommended for approval.

### 8 APPENDICES

#### 8.1 Appendix 1 – Recommended conditions

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<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00707/VAR3M	Richard Fitzjohn Room No. 011 The Grange Ely	Richard Fitzjohn Planning Officer 01353 665555 richard.fitzjohn@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 - 18/00707/VAR3M Conditions

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

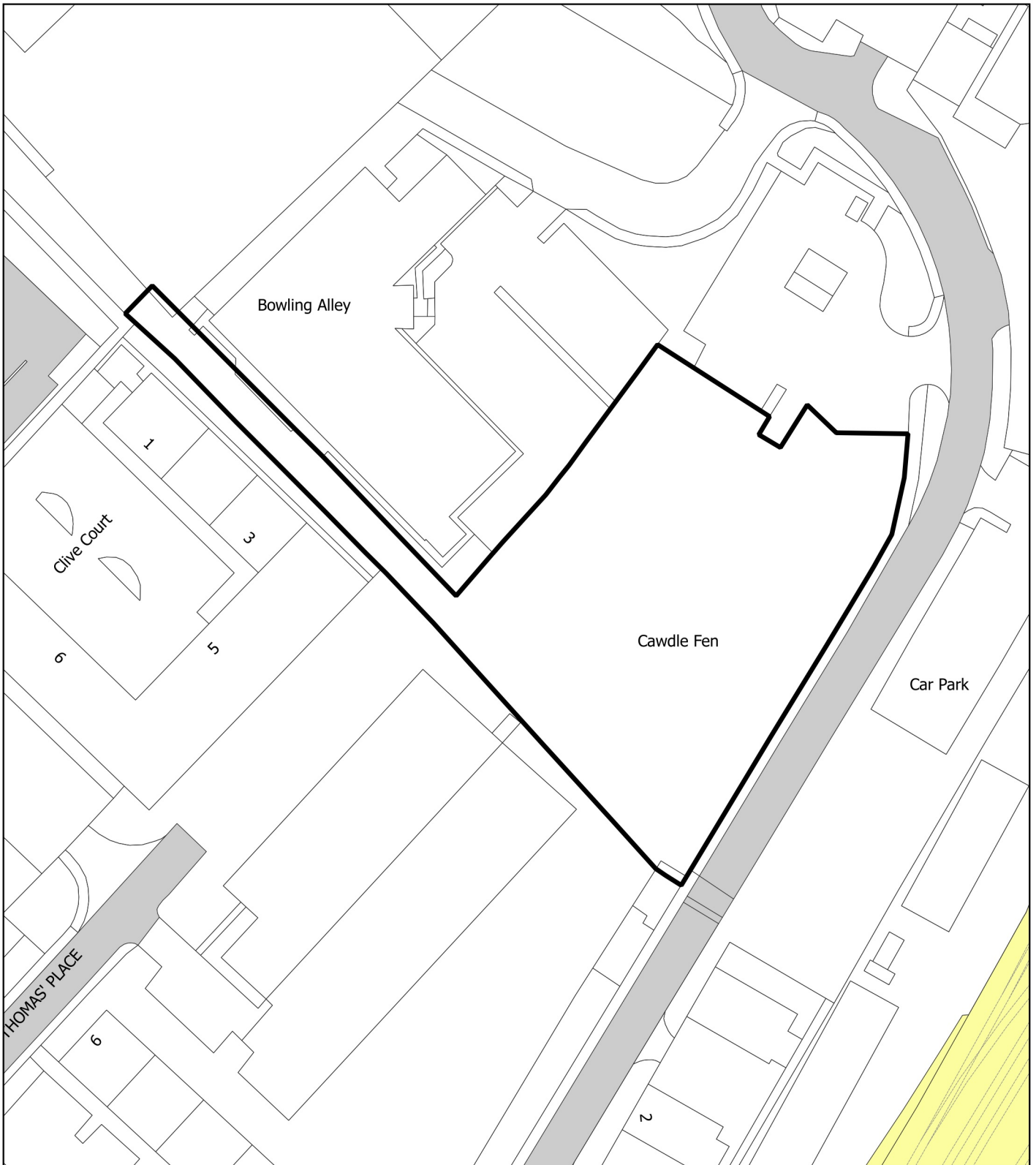
Plan Reference	Version No	Date Received
100	O	25th May 2018
CAR PARKING SURVEY DEC-MAR		25th May 2018
PHASE 1 HABITAT SURVEY		13th September 2016
TRANSPORT STATEMENT		5th September 2016
DESIGN AND ACCESS STATEMENT		5th September 2016
AIR QUALITY ASSESSMENT		5th September 2016
FLOOD RISK AND DRAINAGE ASSESSMENT		5th September 2016
GROUND INVESTIGATION		5th September 2016
TRANSPORT STATEMENT ADDENDUM		14th December 2016
5142 099		5th September 2016
ARCADY 8 REPORT		20th December 2016
280616/02		5th September 2016
EPS/LS/1624-1		5th September 2016
5142 100	E	7th October 2016
5142 103	B	7th October 2016
5142 100	G	10th May 2017
Planting Specification		30th October 2017
D29502/LKM/A		12th April 2017
5142 SK050		10th May 2017
Construction Method Statement		12th April 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The materials to be used in the construction of the entrance, car park and footpaths shall be as specified on drawing no. 100 Revision O. All works shall be carried out in accordance with the approved details.
- 2 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 3 The development permitted by this planning permission shall be in accordance with the approved Flood Risk Assessment (EPS,UK16.2234, dated 17th May 2016) and the underground SuDS system as shown on drawing no. 5142 100 Revision E, in perpetuity.
- 3 Reason: To ensure that the development does not increase flood risk elsewhere by reducing floodplain capacity, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.
- 4 The development shall be in accordance with the surface water disposal details, as shown on drawing no. 5142 100 Rev G and approved by discharge of condition application ref: 16/01159/DISA, in perpetuity.

- 4 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), no structures shall be erected within the car park without the prior written consent of the Local Planning Authority.
- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.
- 6 The car park area and new footpath shall be laid out, demarcated, levelled, surfaced and drained in accordance with drawing no. 100 Revision O and thereafter retained for that specific use.
- 6 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.
- 7 In respect of the soft landscaping details shown within the Planting Specification approved by discharge of condition application ref: 16/01159/DISB, if within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 and LP28 of the Submitted Local Plan 2017.
- 8 All works shall be in accordance with the soft landscaping maintenance scheme approved by discharge of condition application ref: 16/01159/DISB.
- 8 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 and LP28 of the Submitted Local Plan 2017.
- 9 Prior to their installation, details of all structures within the site, including lampposts, CCTV columns, entrance/exit barriers and payment machines, shall be submitted to, and approved in writing by, the Local Planning Authority.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 10 The lighting and lux details, and associated mitigation measures, as shown on drawing no. D29502/LKM/A and approved by discharge of condition application ref: 16/01159/DISA, shall be adhered to in perpetuity.

- 10 Reason: In the interests of public safety, to prevent light pollution and to protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and policies LP22, LP28 and LP30 of the Submitted Local Plan 2017.





18/00707/VAR3M



Site South East of  
Former Bowling Alley  
The Dock  
Ely

East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:1,000



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**MAIN CASE**

**Reference No:** 18/00737/FUL

**Proposal:** Erection of two detached single storey dwellings

**Site Address:** Land Southeast Of The Bungalow Abbey Lane Swaffham  
Bulbeck

**Applicant:** Ms Nicola Bartram

**Case Officer:** Richard Fitzjohn, Planning Officer

**Parish:** Swaffham Bulbeck

**Ward:** The Swaffhams  
Ward Councillor/s: Councillor Allen Alderson

**Date Received:** 1 June 2018      **Expiry Date:** 3 August 2018

[T75]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE this application for the following reasons:

1. The proposed dwellings are located within the countryside and, by virtue of their distance from the main settlement of Swaffham Bulbeck and other town/village centres, they are considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of the proposed dwellings will be reliant on motor vehicles in order to access any local services or facilities. The proposal does not meet any of the special circumstances as identified in Paragraph 55 of the National Planning Policy Framework. The proposal fails to comply with the Policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015, Policies LP1, LP3 and LP17 of the Submitted Local Plan 2017, and Paragraphs 14 and 55 of the National Planning Policy Framework, as it fails to promote sustainable development.
2. The erection of dwellings within this location, which comprises a predominantly open and rural setting, would create an intrusive urbanising impact upon the surrounding rural landscape, eroding the predominantly rural character of the countryside setting and detrimentally impacting views into and out of the village. The proposed development would create significant and demonstrable harm to the character and appearance to the area and is contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan, Policies LP22 and LP28 of the Submitted Local Plan 2017, and Paragraphs 14, 17 and 55-68 of the National Planning Policy Framework.

## 2.0 SUMMARY OF APPLICATION

- 2.1 Planning permission is being sought for the erection of 2No. detached single-storey dwellings and detached garages. The proposed dwellings are of an identical design to each other and their external surfaces would be finished predominantly with facing brick, soft wood timber cladding and slate roof tiles. Each of the proposed dwellings would individually have a total width of 27.9m and total depth of 23.7m, whilst measuring approximately 4.9m at the ridge and 2.2m at the eaves.
- 2.2 The site would be accessed via an existing vehicular access which serves the adjacent property to the north-west where a replacement dwelling has been constructed under planning permission reference 15/01601/FUL.
- 2.3 This planning application has been submitted following previous refusals of planning permission for 2No. dwellings and detached garages on the same site (planning application refs: 16/01363/FUL and 17/01223/FUL). This planning application has made amendments to the height, scale, layout and appearance of the dwelling for Plot 2 of planning application 17/01223/FUL, although the dwelling for Plot 3 remains the same as that which was proposed on planning application 17/01223/FUL.
- 2.4 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.**
- 2.5 This application has been called-in to Planning Committee by Councillor Rouse so that committee can look at the changes [from the previous applications] that the applicant thinks will now make it acceptable.

## 3.0 PLANNING HISTORY

### 3.1

17/01223/FUL	Erection of two detached dwellings	Refused	04.09.2017
16/01363/FUL	Erection of two detached dwellings	Refused	05.05.2017
15/01601/FUL	Demolition of existing bungalow and erection of new detached house and garage	Approved	17.05.2016
15/00561/FUL	Demolition of existing bungalow and erection of new detached house and	Approved	27.10.2015

garage

13/00315/FUL	Demolition of existing bungalow and construction of new dwelling and garage	Approved	11.07.2013
10/00653/FUL	Demolish existing bungalow and replace with new dwelling.	Refused	04.10.2010
10/00142/FUL	Demolish existing bungalow and replace with dwelling	Refused	16.04.2010
15/01601/DISB	To discharge Condition 3 ([Contamination] Materials) Part of 4 (Remedial Method Statement) of decision dated 19.05.2016 for the Demolition of existing bungalow and erection of new detached house and garage.	Discharged	31.07.2017

#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located outside the development envelope of Swaffham Bulbeck, in a predominantly rural location on the corner of the B1102 and Abbey Lane. The site is located adjacent to a dwelling which has been constructed to the north-west (a replacement dwelling approved by planning application 15/01601/FUL). A mature conifer hedge and trees surround the other boundaries of the site, including some trees which are subject to a Tree Preservation Order. The site includes land which was formerly a chalk quarry.

#### 5.0 RESPONSES FROM CONSULTEES

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

5.2 Councillor Rouse, Vice-Chairman of Planning Committee – Requests application is called-in to Planning Committee so that Committee can look at the changes [from the previous applications] that the applicant thinks will now make it acceptable.

5.3 Ward Councillor – No Comments Received.

5.4 Swaffham Bulbeck Parish Council – Please see Parish Council comments below:

*“The planning application 18/00737/FUL is the third application for the erection of two detached dwellings on this site. This slightly modified planning application for*

two dwellings follows the refusal of the two previous applications on 4th September 2017 application 17/01223/FUL and 5th May 2017 application 16/01363/FUL. The Parish Council strongly objects to the planning application for the following reasons:

1. The application 15/01601/FUL, granting permission on 19th May 2016 for a new detached house and garage on the site of a demolished bungalow, was subject to additional conditions, including point 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any amending, revoking or re-enacting that Order), no structures shall be erected within the former pit which is to be levelled and landscaped and will form part of the curtilage of the dwelling. Reason: To safeguard the character and appearance of the area, in accordance with the policy ENV2 of the East Cambridgeshire Local Plan 2015. The current planning application 18/00737/FUL is on the former pit - which appears to have been levelled - and contravenes the condition above.

2. The new 5 bedroom detached house (16/01601/FUL), on the same site as the current application for two further dwellings, has been on the market for approximately 20 months. This indicates that there is not sufficient demand for houses of this type or size. Its construction intrudes significantly into open countryside and is visible from some distance and many parts of the village. The detailed Landscape and Visual Appraisal July 2017 document concludes that, although the modified plans for two further dwellings on this site have reduced the impact on the landscape by lowering the roof levels, there remains an intrusive visual impact. Further evidence that the site is in open countryside is demonstrated by the fact that the only immediate neighbour consulted as part of this planning process is the new 5 bedroom detached house for sale and owned by the same person applying for planning permission for two further detached dwellings! There are no other immediate neighbours because the site is in open countryside and outside the village settlement.

3. The site is both close to - and visible from - parts of the conservation area, the Grade 1 listed medieval abbey in Abbey Lane and Grade 11 listed houses in Commercial End. Commercial End retains the historical characteristics of the 17th century inland port. The buildings reflect the important industry of that time and include the former Merchants House, granary, malthouse, inns, shops, mill and workers' cottages. The site of this planning application which is outside the current village envelope, outside the village gateway and in open countryside would have a distinctly urbanising impact on this historically important location.

4. No archaeological dig appears to have taken place on the site.

5. Swaffham Bulbeck currently has plans in progress for approximately 80 new houses on three sites within the central area of the village and within village gateways. This contributes significantly to the demands of East Cambs Local Plan 2018. The village already has in excess of 20% of its current housing stock as bungalows and any additional new bungalows required will be included in the new building developments. 80 new houses in the village amounts to an increase of more than 20% of the current housing stock. 40% of new houses will be affordable and remaining market houses. Swaffham Bulbeck Community Land Trust is working closely with developers to create a housing scheme in the centre of the village which demonstrates a natural organic growth of the village. The erection of two

*dwelling in open countryside would create an unnecessary urbanisation and intrusion on the surrounding rural landscape and is not required to fulfil housing needs.*

*6. Development at this site gives poor access to schools, post office and shop, church, play areas and public transport.*

*7. Section 14 of the application states that the last use of the site was a tip for inert waste and that the land is not contaminated. This is a contradiction - imported made ground was used to infill the pit and should be considered to be a potential source of contamination as it is an unknown material located within a non-natural setting. There is no confirmation that the tip was inert as it was not registered (confirmed within the Groundsure September 2013 report supplied by the applicant) and therefore no written confirmation can be provided to support the suggestion of the material being comprised of inert waste. In addition to this, supporting documents supplied by the applicant include details of Clean Soil Cover Update (Contaminated Land) dated April 2017, clearly acknowledges the potential presence of contaminated land within the site boundary. No supporting evidence has been provided to illustrate how the potential risk to groundwater from contamination will be prevented.*

*The Planning Statement May 2018 and Landscape and Visual Appraisal report July 2017, which accompany this application, are based in part on out of date and incomplete information.*

*To grant planning permission for additional houses, which are not required, would fly in the face of: the wishes of the village; East Cambs planning policies; and conditions previously set by East Cambridgeshire District Council. The Parish Council strongly objects to this planning application.”*

- 5.5 Local Highways Authority - The access as shown on the plans is as per approved application 16/01601/FUL. No objections. However works has carried out works on the highway verge without permission or consent form the highways authority and the materials used are not to the highway authority's standards. Therefore this is not recognised by the highways authority as an existing access.

#### Recommended Conditions

- No gates to be erected across the vehicle access
- Access layout as per the approved drawings 01.2 with no unbound material within 5m of the highway
- Parking and turning

- 5.6 CCC Growth & Development (Archaeology) – “Records indicate that the site lies in an area of high archaeological potential, situated immediately south of an extensive cropmark complex of ring ditches and linear features (Cambridgeshire Historic Environment Record reference 06642) and to the south east of Grade I listed Swaffham Bulbeck Priory, a 13th century community of Benedictine nuns (National Heritage List for England reference 1165597, CHER ref 11931). Roman settlement (06654) is located to the north of the Priory and archaeological investigations to west of the proposed development area at Commercial End revealed evidence of

dense late medieval settlement-related activity (ECB4411). In addition, to the south-west is the Swaffham Bulbeck moated site, another Scheduled Ancient Monument (NHLE 1012622, CHER 01130) and a further earthwork evidence of the Shrunken Medieval Settlement (10129). Do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.”

#### 5.7 Waste Strategy (ECDC) –

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £43 per property.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number **43135897**, Sort Code **52-41-19**, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to [waste@eastcambs.gov.uk](mailto:waste@eastcambs.gov.uk) detailing the payment amount and the planning reference number.

#### 5.8 Trees Officer – Original comments received 5<sup>th</sup> July 2018, prior to receipt of an updated arboricultural report - “The Arboricultural report submitted with this application is dated October 2016 and as significant works have been undertaken the site, I require a revised Arboricultural report to consider this proposal.”

Comments received 19<sup>th</sup> July 2018, following receipt of an updated arboricultural report – “This proposal is for the development of two dwellings at a formal quarry site. In relation to the existing trees at the site an Arboricultural report has been submitted to support the proposal. I consider the information within it to be accurate and I support the information provided.

I have concerns this proposal will have a negative impact upon the landscape character of the area which would be in conflict with guidance within the local plan (ENV1: Landscape and settlement character).

As landscaping issues are major element of my concern, I advise you consider consulting with a landscape consultant to consider my comments and the information within the Landscape Impact Assessment.

If the application is to be approved, the Tree Protection Plan within Appendix 4 of the Arboricultural report dated 18th July 18 will be required to be implemented under condition of planning approval, to ensure the successful retention of trees at the site (Condition TR9A).”

- 5.9 Environmental Health – “This application is similar to the previous application, 17/01223/FUL. I refer you to my previous comments on this of 14th August 2017. The applicant has not supplied any additional information. For example, the Groundsure Property Search report dated 18th November 2015 which has again been submitted describes the old chalk pit as potentially infilled although the pit has been landfilled since then; and although the Clean Soil Cover Update (Contaminated Land) document refers to the requirement for a gas protection membrane in the adjacent property no information is supplied regarding the proposed new dwellings which may be at a greater risk from landfill gas as they would be situated on the landfill itself.”

Also, due to the proposed number of dwellings I would advise that construction times and deliveries during the construction phase are restricted to the following:

- 08:00 – 18:00 each day Monday – Friday
- 08:00 – 13:00 on Saturdays and
- None on Sundays or Bank Holidays

- 5.10 A site notice was displayed near the site and a press advert was published in the Cambridge Evening News, both on 21<sup>st</sup> June 2018. In addition, 2 neighbouring properties were directly notified by letter. 16 neighbour representations have been received and the responses are summarised below. A full copy of the responses are available on the Council’s website.

11 neighbour representations stating objections/concerns:

- Sited located within the countryside and contrary to Policy.
- Although a local development plan is not currently in force, this has been through two iterations and at no point has this land been included for development.
- Unsustainable location and a long distance from main settlements, shops, facilities and services.
- Not sustainable development:
  - Economic - this is not in the right place: it is too far from the village centre. Therefore, access will most likely be by motor vehicle, so this does not support the transition to a low-carbon future, and does not contribute to reducing pollution.
  - Social - no survey of local housing needs has identified the need for this type of housing this far from the village centre.
  - Environmental: this does not enhance the natural environment (it removes a local wild area thus leading to a net loss of bio-diversity, so does not contribute to conserving and enhancing the natural environment), the local built or historic (see above) environment.



- Does not promote sustainable forms of transport. Future residents will be reliant on motor vehicles.
- Landscape and visual impacts - The proposed development would create significant harm to the character and appearance of the area, create an urbanising impact and erode the rural character of the countryside setting and detrimentally impact views into and out of the village. Development would set a precedent for further development in the surrounding countryside. Contrary to Policies ENV1 and ENV2 and the NPPF. One of the charms of this village is that it has little frontage on the main road. It is an unsuitable site for development as it ignores the long-established form of the village of Swaffham Bulbeck.
- The development has a direct effect on the rural setting of Commercial End as the development is in open countryside.
- Filling the whole of one side of Abbey Lane with houses constitutes 'ribbon development' of the kind now universally deplored by responsible planning authorities.
- The proposed development would create significant harm to wildlife habitat/biodiversity.
- Impact on highway safety - The application fails to provide sufficient details to demonstrate a safe access to the highway network. Required car movements would add to unsustainable volume of traffic on the road.
- Impact on Conservation Area - In spite of the slightly lowered roof lines, the proposed houses would have a detrimental impact on the historically valuable views of Commercial End [a conservation area] from the road.
- Previous reasons for refusal of planning application 16/01363/FUL still stand.
- There is no demand for large expensive houses such as these. A recent survey demonstrated that demand in the village is for affordable houses.
- Swaffham Bulbeck already has many upmarket houses, some of which have been created by joining two adjacent smaller domiciles to create a larger house, thus reducing the stock of smaller houses in the village.
- Residential amenity impacts
- Impacts the rural setting of the Grade 1 listed "The Abbey" on Abbey Lane.
- This is an historically important site with Grade 1 and 11 buildings in close proximity. The Landscape and Visual Appraisal submitted by the applicant in support of the current application concludes that, 'there remains an intrusive visual impact' from this proposed development.
- Contravention of condition on 15/01601/FUL Planning Approval - "no structures shall be erected within the former pit which is to be levelled and landscaped and will form part of the curtilage of the dwelling."
- Potential Site Contamination - The NHBC Standards (Part 4 Foundations, Chapter 4.1 Land Quality) state that "Assessment should be carried out by direct investigation and examination of the ground, supplemented where necessary by results of laboratory testing on samples obtained." In other words, actual physical analysis is required of the base ground under the 3 metres of infill to determine whether or not there is any contamination. Only a desk study has been carried out.
- During restoration of the site, all kinds of material was used to fill the clunch pit and therefore surprise housing can be considered on the site.

- Concerns that the proposed new buildings will be higher than the current hedge and tree line. The hedge line could in future be lowered and make the properties more visible.
- The applicant's Environmental Report makes it clear that the site is on soil with high leaching potential over a major aquifer (Section 6.8). The site is close (1.5km) to the Anglian Water Swaffham Prior bore-hole for extracting potable water. Therefore, the aquifer is vulnerable to operations at the proposed site. Although no records of licensed waste disposal on the site were found (sections 1 to 3 of the Environmental Report), the site has been used unofficially for tipping waste since 1886 (p13, section 1.6). The nature and potential toxicity of waste accumulated on the site before the recent infill, and consequently now buried under the infill, should have been determined with a view to assessing the risk of contaminating the major aquifer when potentially toxic substances are disturbed during any building work. The application contains no reference to any such investigation, therefore conclude that an investigation of this type has not been carried out. Therefore, there is a clear risk that building operations on the site may result in contamination of drinking water. The same objection to the development of this part of the site was clearly and fully set out as one of the reasons for rejecting planning application 16/01363/FUL.
- It makes no sense to build on a site full of decaying rubbish and, according to ECDC's own site inspection, on a site which is contaminated.
- The planning application for the new bungalow was conditional on no more planning applications on the site, as it was deemed to be a replacement for the older bungalow.
- Previous occupiers of the former bungalow on the adjacent land which has been replaced with a replacement dwelling were previously informed of stricter restrictions for a replacement dwelling by the Local Planning Authority. Consider it unbelievable that permission was given for the very imposing replacement dwelling on the adjacent land, and inconceivable that any further development on the site would be permitted.
- The Planning Supporting Statement is incorrect. This application is the third application for two dwellings on this site and not as implied the second. The first application, 16/01363/FUL was turned down by Planning Committee in May 2017 and the second, 17/01223/FUL, was recommended for refusal by a Planning Officer in September 2017.
- The current application is very similar to the last application which was refused. Nearly all the supporting reports and paperwork appear to be the same as submitted in support of the two previous applications which were both refused.

#### 5 neighbour representations in support:

- Consider that this small scale development in Commercial End, which has a varied range of houses, is a good fit for the village and for Abbey Lane.
- As the site is surrounded by trees, it would be very attractive and cause no adverse impact on the village.
- It would help sustain the balance of eclectic housing in Commercial End as opposed to any dense urbanisation which would have a visual impact and be less in keeping with Abbey Lane and the surrounding area.
- The new homes would be unobtrusive, would not spoil the countryside character or dominate the skyline, which is currently dominated by a powerline.

- The ridge heights of the bungalows would be less than 5m, not having a negative impact on the neighbouring property, be visible from the village or block views into the village.
- Ward Councillor supported 2013 application for adjacent replacement dwelling with 5.5m high ridge. The trees and hedgerows, including those with TPO's, have since benefitted from a further 5 years growth. The landscape plan will ensure the privacy of new residents and no visual impact on surroundings.
- The new homes would satisfy the demand for modern, flexible, accessible and more spacious bungalows.
- The new homes would be closer to the shop and the bus stop than many of the existing properties in Commercial End, and equal distance or less to the recently approved 19 new dwellings in Swaffham Bulbeck.
- Hope that ECDC will give permission for two exceptional new homes, and thus end the 8 year debate about what to do with this unsightly blighted chalk pit that has been levelled and available for very sympathetic low density, unobtrusive small development.
- The proposed homes would benefit the area and improve this side of Commercial End.
- There will be no impact on the roads or access which will comply with Highways regulations.
- Pleased that someone is trying to turn the derelict chalk pit into something useful. Land would be put to good use.
- Many individuals in the village have expressed their support for small scale development of this site which has laid derelict and vulnerable for decades.
- Abbey Lane and the application site has previously had issues with fly tipping and it has attracted vandals, whilst being intimidating to walk by/along. Two bungalows would tidy up the lane, help stop antisocial behaviour and hardly be noticed.
- There have been a series of independent thorough field tests and the results were given to the Environmental Agency (EA) and the Council and there was nothing of any significance found to cause concern. Indeed people should be encouraged to note that the consultant's recommendation was to deploy a membrane but to reduce the proposed level of top soil which was deemed unnecessary.
- The appropriate U1 license was requested and verified by the EA a year before the commencement of work and the details were published on a public record accessible on the internet. Records were kept and submitted to the EA and ECDC. It should be noted that the requirement by the EA was to infill with inert material including bricks, glass, gravel, sand, concrete etc.
- The site is not in a conservation area and not even adjacent to a conservation area.
- Comments regarding visual impact into and out of the village are inaccurate and supported by the independent landscape survey and report.
- The people who have raised issues are at a considerable distance on the other side of the large field. The proposed bungalows will have a ridge height of less than 5m and will be naturally screened by a mature row of trees and large hedges some of which are protected by TPOs and those people should not see the bungalows. Even without any building the views stop at the trees as the type of foliage forms a natural screen.

- There are no odours from the site. No weight can be given to this as nobody has ever mentioned this.
- Fly-tipping – shortly after the current owner obtained the site he managed to stop fly tipping, and also paid licensed waste management fees for the removal of asbestos sheets, and copies of the documents are with ECDC.
- Before the infill of the chalk quarry the surface and base and sides were white chalk as evidenced in photographs, with some undergrowth. There was no evidence of any rubbish ever having been buried. The only landfill site on record in Swaffham Bulbeck is around 100m from the new housing estate on Heath Road, grid ref 556000/262300.
- The former bungalow had a cesspool system less than efficient and similar to ones that are still in use around the area, and it should be noted that permission was granted in 2013 to use the quarry floor as part of an eco sewerage and waste water system and no issues were raised by Anglian Water. The proposed new bungalows would have modern individual packaged sewerage treatment plants that exceed government standards.
- Reference to the Nitrate Vulnerability Zone (NVZ) of this site should be taken in context with the vulnerability of the entire area. It just means that as there are agricultural fields adjacent it is recognized that Nitrate fertilizers could be used nearby. Every house in the area is marked as an NVZ <https://www.gov.uk/guidance/nutrient-management-nitrate-vulnerable-zones#find-out-if-your-land-is-in-an-nvz> which is to be anticipated.
- When preparing the site, undergrowth and some self-propagating plants were collected into holding areas in the former quarry and burnt following established guidelines. There is a small remaining pile of undergrowth used as a barrier that has successfully stopped unauthorized access and further fly tipping in an area which is still vulnerable. This part of the site will be afforded further protection if permission is granted.
- Claims that there is no social mix of housing are unfounded. There has always been a variety of housing in Swaffham Bulbeck and this will continue. 19 new homes with a mix of commercial and affordable new homes has just been granted. Therefore, two larger versatile homes help to maintain the variety of homes and will be less obtrusive than higher density two story homes in this area.
- There are no issues with Access. The Access is half way along Abbey Lane where the original access has always been. There are no corners in close proximity, excellent sight lines and splay and joins the lane at a right angle. The former access on the corner of Abbey Lane and B1102 has been formally closed, and this is recognized in the application.
- There are no issues of surface water drainage.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character

- ENV 2 Design
- ENV 4 Energy efficiency and renewable energy in construction
- ENV 7 Biodiversity and geology
- ENV 8 Flood risk
- ENV 9 Pollution
- COM 7 Transport impact
- COM 8 Parking provision

## 6.2 Supplementary Planning Documents

- Developer Contributions and Planning Obligations
- Design Guide
- Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
- Flood and Water

## 6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment

## 6.4 Submitted Local Plan 2017

- LP1A presumption in Favour of Sustainable Development
- LP3 The Settlement Hierarchy and the Countryside
- LP16 Infrastructure to Support Growth
- LP17 Creating a Sustainable, Efficient and Resilient Transport Network
- LP22 Achieving Design Excellence
- LP23 Water Efficiency
- LP24 Renewable and Low Carbon Energy Development
- LP25 Managing Water Resources and Flood Risk
- LP26 Pollution and Land Contamination
- LP27 Conserving and Enhancing Heritage Assets
- LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views
- LP30 Conserving and Enhancing Biodiversity and Geodiversity
- LP31 Development in the Countryside

## 7.0 PLANNING COMMENTS

7.1 The main issues to consider when determining this application relate to the principle of development and the impacts upon character and appearance of the area, contamination risks, ecology and trees, highway safety, residential amenity and archaeology.

### 7.2 Principle of Development

7.2.1 The application site is located outside of the established development framework. The development of the site for housing would therefore conflict with Policy GROWTH 2 of the East Cambridgeshire Local Plan which seeks to focus new

housing development within defined settlement boundaries. However as the Council cannot currently demonstrate a 5 year supply of housing land, Policy GROWTH 2 cannot be considered up to date in so far as it relates to the supply of housing land. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

- 7.2.2 The application proposes the erection of 2 new dwellings on the site. Paragraph 55 of the National Planning Policy Framework (NPPF) states that local planning authorities should avoid new isolated homes in the countryside; this proposal also does not meet any of the exceptions detailed in that paragraph. In addition, Paragraph 35 encourages development to protect and exploit opportunities for sustainable transport.
- 7.2.3 This site is located 95 metres in distance from the nearest established development framework located to the north-west, and more than 0.4 miles in distanced from the established development framework for the main settlement of Swaffham Bulbeck where local shops and services are located. The site is considered to be isolated from the main settlement of Swaffham Bulbeck in a very rural location, with the closest local shop and pub located approximately 0.5 miles way from the site access and the closest primary school located 0.7 miles away from the site access. The isolation of the site from local services and facilities would weigh against the social dimension of sustainable development and would not accord with Paragraph 55 of the National Planning Policy Framework regarding the location of rural housing.
- 7.2.4 Although the site is relatively well connected to the main settlement of Swaffham Bulbeck by public footpath, given the distance of the site from the closest services and facilities within the main settlement of Swaffham Bulbeck, the occupiers of the proposed dwellings would be highly reliant on the car to gain access to services and facilities. This reliance on the private car would weigh against the environmental dimension of sustainable development and would not accord with Paragraph 35 of the National Planning Policy Framework. Furthermore, it would be contrary to Local Plan policy COM7 which requires that development is designed to reduce the need to travel, particularly by car, and to promote sustainable forms of transport.
- 7.2.5 For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is therefore not considered to be in an environmentally or socially sustainable location. The proposal is therefore contrary to policies GROWTH5 and COM7 of the Local Plan and paragraphs 35 and 55 of the NPPF.
- 7.3 Character and appearance of the area
- 7.3.1 Policy ENV1 of the East Cambridgeshire Local Plan 2015 requires new development proposals to demonstrate that their location creates positive, complementary relationships with existing development and protects, conserves, and where possible enhances space between settlements and their wider landscape setting. Furthermore, Policy ENV2 of the East Cambridgeshire Local

Plan 2015 requires all new development proposals to respect the landscape of the surrounding area and ensure the location of buildings relates sympathetically to the surrounding area.

- 7.3.2 The site is located adjacent to 1No. existing residential dwelling which has recently been constructed. This dwelling was approved by planning permission as a replacement dwelling (planning permission reference 15/01601/FUL). Other than this dwelling, the next closest residential property to the site is located approximately 95 metres away, within the established development framework. The area surrounding the application site is predominantly rural in nature, mainly comprising open agricultural fields with a lack of built form. Other than the replacement dwelling which is currently under construction adjacent to the site, the site is isolated from any other built form.
- 7.3.3 The application is supported by a Landscape and Visual Appraisal which considers that the site will generally be perceived as part of the existing village setting and will not constitute development into 'open countryside'. However, this view is not agreed with by the case officer. The site is located directly adjacent to the B1102 which connects Swaffham Bulbeck and Swaffham Prior. The site is prominently visible from this public highway and forms a sensitive and distinctive countryside location, comprising a rural and undeveloped character and appearance which is characteristic of its location between settlements. The existing rural and undeveloped character and appearance of the site provides a positive contribution to the space between the settlements of Swaffham Bulbeck and Swaffham Prior. Despite the current application amending the heights, scale, layout and appearance of the proposed development from those which were refused under planning applications 16/01363/FUL and 17/01223/FUL; by virtue of its location and the lack of urban built form surrounding the site, it is still considered that the addition of residential dwellings in this location would create an intrusive urbanising impact upon the surrounding rural landscape, eroding the predominantly rural character of the countryside setting and detrimentally impacting views into and out of the village.
- 7.3.4 The Council's Trees Officer has stated that the proposed development will have a negative impact upon the landscape character of the area which would be in conflict with guidance within the local plan (ENV1: Landscape and settlement character). These comments support the case officers view regarding the detrimental landscape impact of the proposed development.
- 7.3.5 The submitted Landscape and Visual Appraisal concludes that the landscape effects of the proposed development would be 'slight'. However, this assessment relies on the boundary vegetation being retained and enhanced. The site benefits from screening by trees and hedging around its boundaries, including a tree belt protected by a Tree Preservation Order along the boundary of the site with Abbey Lane. There is also a tree belt protected by a Tree Preservation Order which is located outside of the site, along the front boundary of the neighbouring property, adjacent to the Abbey Lane. This tree belt provides additional screening of the site. However, the majority of trees and hedging surrounding the site are not afforded any form of protection and could be removed at any time. Little weight can therefore be afforded to the screening of the proposed dwellings from the existing trees and hedging, other than those along Abbey Lane which are subject to Tree Preservation Orders. It must be noted that even trees subject to Tree Preservation Orders can be

removed in time due to disease or age and therefore trees are not an acceptable means of making a development acceptable.

7.3.6 It is therefore considered that the erection of residential development in this location would cause significant and demonstrable harm to the rural character and appearance of the area, contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, Policies LP22 and LP28 of the Submitted Local Plan 2017 and Paragraphs 14, 17 and 56-68 of the NPPF.

#### 7.4 Contamination risks

7.4.1 Whilst considering a previous application on the site, the Local Planning Authority received a report that a significant amount of material was being brought onto the site and was being used to infill the redundant clunch pit. It was the intention of the applicant to use this area as garden land and the previous application made reference to the 'levelling off' of the pit. The Council's Scientific Officer, accompanied by a Planning Enforcement Officer, visited the site and confirmed that a large amount of material had been brought onto the site. It was unclear where this material had come from and whether it contained any potential contaminants. The applicant and his agent were subsequently advised to cease operations on site until further investigations were undertaken by the Council. At that time, concerns were raised by the Scientific Officer that the clunch pit was being infilled with waste, including brick, metal, glass, plastic, polythene, cardboard, wood, timber, concrete, fence posts, polystyrene packaging, foam insulation, tree roots, broken window frames, burned tree branches, empty mastic containers, etc., as well as miscellaneous domestic waste items. He also stated that there was also evidence of burning of waste on site. He was concerned that the waste could pose a risk to human health and the environment and has the potential to generate landfill gas which could present an explosion risk to any building on the site. As there is no basal liner there is a risk of pollution of the underlying chalk aquifer.

7.4.2 Previous applications were supported by a soil report including a Chemtest soil analysis and a full interpretive report. The full interpretive report concluded that the soil represented by the samples from across the application site would be considered a potential risk to human health in the context of the proposed end use, should they remain in situ as part of the development in an area of the site where exposure pathways to end users are active. The report went on to state that remedial measures may be required to break exposure pathways.

7.4.3 In connection with a previously approved planning application for a replacement dwelling on the site (planning permission ref: 15/01601/FUL), the Council commissioned an independent review (by EPS) regarding contamination which covered the current application site. EPS submitted a Technical Appraisal & Remedial Strategy was submitted and the Environment Agency appeared to be satisfied and the additional analysis carried out on behalf of the applicant can be dealt with via a relatively straightforward series of remedial control measures.

7.4.4 The Local Planning Authority has recently considered the information submitted by the applicant in respect of discharging contamination conditions (planning ref: 15/01601/DISB) relating to planning application 15/01601/FUL, which included the following documents:



- Report for Site at Abbey Lane Swaffham Bulbeck Cambridge CB25 0NQ (22nd March 2017)
- Topsoil Analysis Report - Bottisham Village College (21st February 2017)
- Enverity /Chemtest Test Certificate (31st January 2017)
- Soils Report - Andrew Firebrace Partnership Ltd (29th March 2017)

7.4.5 This information was reviewed by EPS, who has carried out the independent contamination review commissioned by the Council, and was considered acceptable. The contamination conditions relating to planning permission 15/01601/FUL have since been discharged in July 2017.

7.4.6 The Council's Scientific Officer has stated that, although the Clean Soil Cover Update (Contaminated Land) document refers to the requirement for a gas protection membrane in the adjacent property, no information is supplied regarding the proposed new dwellings which may be at a greater risk from landfill gas as they would be situated on the landfill itself. However, the contamination information which was discharged by the Local Planning Authority in respect of planning application 15/01601/FUL related to the whole of the current application site. Therefore, the contamination risks from the proposed development could be dealt with by strict planning conditions relating to contamination. This could involve protected pipework, foundations, gas membranes and bringing clean soil on to the site. If Members are minded to approve this application, it is considered reasonable, and in the public interest, to add on standard contaminated land conditions in order to ensure the long term protection of future residents of the proposed dwellings and the public.

7.4.6 Policy ENV9 requires applicants to submit an assessment of the extent of any contamination and possible risks where a site is known to be contaminated or there is reason to suspect contamination. It is considered that through the Local Planning Authority's previous request for an additional contaminated land assessment and the subsequent independent review, that this element of the policy has been adequately addressed. The use of planning conditions would ensure adequate reduction and management of impacts. The Local Planning Authority has also had regard to Paragraphs 109, 120 and 121 National Planning Policy Framework in respect of ensuring that the site is suitable for its new use and preventing new development from being put at unacceptable risk from or adversely affected by pollution.

## 7.5 Ecology and trees

7.5.1 The site is surrounded by a number of substantial boundary trees, some of which are the subject of Tree Preservation Orders. The arboricultural report originally submitted with this application was dated October 2016 and was therefore considered to be out of date, particularly as significant works have been undertaken within the vicinity of the site since then. However, an updated arboricultural report has since been received by the Local Planning Authority.

The updated arboricultural report relates to existing trees on the site and has been reviewed by the Council's Tree Officer, who considers the report to be accurate and

supports the information within it. The Council's Trees Officer has advised that if the application is to be approved, the Tree Protection Plan within Appendix 4 of the Arboricultural report dated 18th July 18 will be required to be implemented under condition of planning approval, to ensure the successful retention of trees at the site. This view is supported by the case officer.

- 7.5.2 Biodiversity improvements could be achieved through planning conditions.
- 7.5.3 It is therefore considered that the proposed development would accord with Policy ENV7 of the East Cambridgeshire Local Plan and Policy LP30 of the Submitted Local Plan 2017 in respect of its impact upon ecology and trees.
- 7.6 Highway safety and parking
  - 7.6.1 Policy COM8 requires new residential dwellings in non-town centre locations to provide adequate parking provision for 2 cars. The proposal demonstrates that 2 car parking spaces can be accommodated within the site, in accord with Policy COM8 of the Local Plan.
  - 7.6.2 Policy COM7 of the East Cambridgeshire Local Plan 2015 requires new development proposals to provide safe and convenient access to the highway network. The proposed shared use access measures more than 5m in width which would allow 2 vehicles to pass safely, without creating vehicular conflict when entering and exiting the site. In addition, inter-vehicular visibility splay information has been submitted with this application which is considered acceptable. The Local Highways Authority has no objection to this application. The application is therefore considered to be acceptable in respect of highway safety impacts.
  - 7.6.3 Any existing works which have been carried out to the highway verge without highway consent is a matter for the Local Highway Authority to deal with outside of the scope of this planning application.
- 7.7 Residential Amenity
  - 7.7.1 The proposed dwellings would not create any significant detrimental impacts upon residential amenity on any nearby/neighbouring properties due to the significant separation distances between them. In addition, the proposed dwellings would both benefit from generous plot sizes and amenity space for future occupiers. The proposed development is therefore accords with Policy ENV2 of the East Cambridgeshire Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017 in respect of residential amenity.
- 7.8 Archaeology
  - 7.8.1 Cambridgeshire County Council Archaeology has recommended that a condition be appended to any grant of planning permission requiring an archaeological investigation to be carried out and approved by the Local Planning Authority prior to any development commencing due to the likelihood of archaeological finds. Due to the high potential for archaeological finds, it is considered reasonable that a similar condition should be appended to any grant of planning permission for this planning application.

- 7.9 Other matters
- 7.9.1 Due to the significant distance of the proposed dwellings from the nearest listed buildings and conservation area, the proposed development would not cause any harm to these heritage assets.
- 7.9.2 There are no planning policy requirements for affordable housing and housing mix for a development of this size.
- 7.9.3 Any lack of market demand for the substantially constructed replacement dwelling is not a material planning consideration which can be assessed as part of this application.
- 7.9.4 The application site is located within Flood Zone 1 where the principle of development is considered acceptable in flood risk terms. The application states that foul water would be disposed into the mains sewer and surface water could be dealt with via soakaways. Drainage details could be secured by planning condition.
- 7.9.5 Although planning permission 15/01601/FUL for the adjacent replacement dwelling included a condition removing permitted development rights for additional structures within the former pit, this is not a reason in itself to refuse planning permission as each application must be considered on its own individual merits.
- 7.9.6 The submitted garage plans are incomplete. However, plans showing full details of the garages could be conditioned.
- 8.0 Planning balance
- 8.1 The proposal would provide the following benefits: the provision of an additional 2 residential dwellings to the district's housing stock which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 8.2 However, it is considered that these benefits would be outweighed by the significant and demonstrable harm that would be caused by; the siting of the proposed dwellings in an unsustainable location, the increasing reliance on the private car to gain access to services and facilities and the detrimental urbanising impact upon the surrounding rural landscape.
- 8.3 In conclusion, this proposal is contrary to Policies GROWTH5, ENV1, ENV2 and COM7 of the East Cambridgeshire Local Plan 2015, policies LP1, LP17, LP22 and LP28 of the Submitted Local Plan 2017, and guidance set out within the National Planning Policy Framework.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00737/FUL	Richard Fitzjohn Room No. 011 The Grange	Richard Fitzjohn Planning Officer 01353 665555

17/01223/FUL  
16/01363/FUL  
15/01601/FUL  
15/00561/FUL  
13/00315/FUL  
10/00653/FUL  
10/00142/FUL

Ely

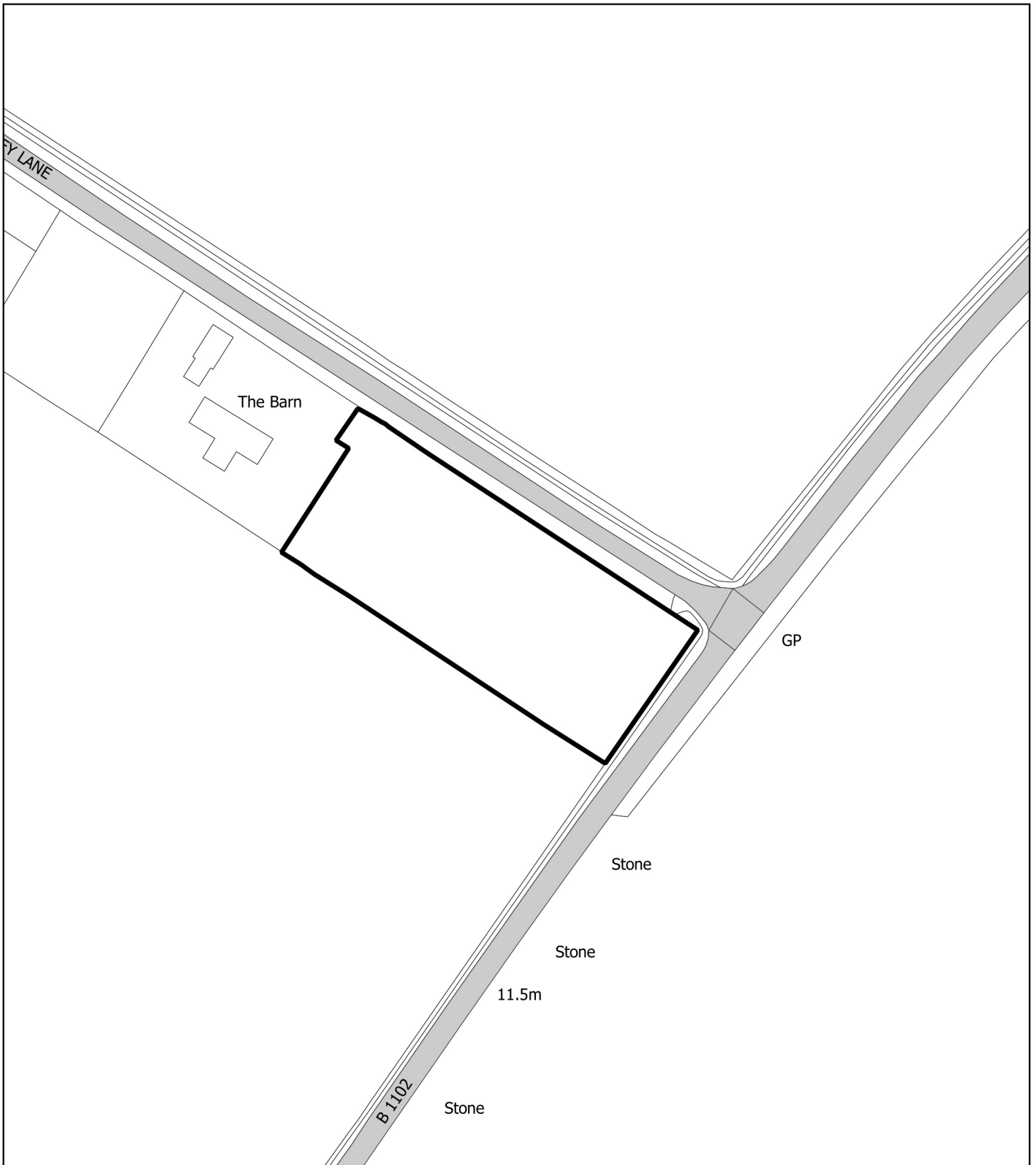
richard.fitzjohn@ea  
stcambs.gov.uk

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>



18/00737/FUL

Land Southeast of  
The Bungalow  
Abbey Lane  
Swaffham Bulbeck



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:1,500



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**MAIN CASE**

**Reference No:** 18/00749/FUL

**Proposal:** Demolish existing bungalow and replace with four bed dwelling and car port.

**Site Address:** Sidings Farm Ely Road Prickwillow Ely Cambridgeshire CB7 4UJ

**Applicant:** Mr & Mrs A Hopkin

**Case Officer:** Catherine Looper, Planning Officer

**Parish:** Ely

**Ward:** Ely East  
Ward Councillor/s: Councillor Richard Hobbs  
Councillor Lis Every

**Date Received:** 4 June 2018      **Expiry Date:** 01/08/2018

[T76]

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**1.0 RECOMMENDATION**

1.1 Members are recommended to REFUSE the application for the following reasons:

1. Policy ENV1 of the East Cambridgeshire Local Plan 2015 and policy LP28 of the Submitted Local Plan 2017 require proposals to demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development. In addition, proposals are required to protect, conserve and enhance the pattern of distinctive traditional landscape features and the unspoilt nature and tranquillity of the area. Policy ENV2 of the Local Plan 2015 and policy LP22 of the Submitted Local Plan 2017 require proposals to make efficient use of land while respecting the landscape and surrounding area. In addition, policy HOU8 and policy LP31 of the Submitted Local Plan 2017 require proposals to ensure that replacement dwellings are of a similar scale, height and footprint as the original dwelling, and would not adversely impact the character and appearance of the countryside setting. The proposal, by virtue of its scale and location would be harmful to the rural character and appearance of the area. The proposed development would create a visually prominent and urbanizing impact which erodes the predominantly open agricultural character of the area, contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and policies LP22 and LP28 of the Submitted Local Plan 2017.

2. It has not been satisfactorily demonstrated the future occupiers of the dwelling will not be adversely affected by noise from the adjacent farm, to the detriment of residential amenity and the future operation of the farm. As such it is contrary to policies ENV2 and ENV9 of the East Cambridgeshire Local Plan 2015 and policies LP22 and LP26 of the Submitted Local Plan 2017.

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application seeks permission for the erection of a two storey detached dwelling to replace the existing dwelling at Sidings Farm. The proposed dwelling would measure approximately 8m to the ridgeline. The dwelling would be approximately 17m in width across the frontage and 10.5m in depth. The dwelling would be of a modern design with different elements protruding from the sides, front and rear. The applicant also proposes a triple-bay car port to the west of the proposed dwelling.
- 2.2 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.**
- 2.3 The application has been called into Planning Committee by Councillor Every.

## **3.0 PLANNING HISTORY**

### 3.1

11/00261/FUL	Construction of agricultural storage building	Approved	09.05.2011
17/01362/FUL	Proposed 4 bed dwelling.	Refused	05.10.2017

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

- 4.1 The site is located to the west of Prickwillow and is approximately 600m outside of the defined settlement boundary. The site currently comprises a detached single storey dwelling on an agricultural site. To the rear of the proposed plot is a large agricultural building of modern construction. The site is clearly part of an established agricultural unit.

## **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.

Local Highways Authority – No objections raised.

CCC Growth & Development - No Comments Received

Senior Trees Officer – No objections raised.

Environmental Health (Domestic) – No objections raised.

Environmental Health (Scientific) – I have read the Envirosearch report dated 1<sup>st</sup> June 2018 and accept the findings. I recommend that a condition requiring site investigation, etc is not required. I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission due to the proposed sensitive end use (residential).

Waste Strategy (ECDC) – No objection raised. Standard informatives recommended.

Consultee For Other Wards In Parish - No Comments Received

Environment Agency – In accordance with the National Planning Policy Framework (NPPF) paragraph 101, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this. By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test. Please note that the submitted Flood Risk Assessment (FRA) and accompanying site plans are not consistent. The FRA states that land level at the site is generally 1.00m AOD with a proposed finished floor level of 1.3m AOD. The site plan (ref 17:149-3) shows the land levels at the site to be approximately -0.2 AOD, but shows the finished floor level to be 1.1m AOD. Submitted data should be consistent in order for us to suitably assess the application and appropriateness of proposed mitigation measures. We have chosen not to object to the application on this occasion as the measures proposed ensure the development will be safe for its lifetime. Our Fenland Hazard Mapping shows the site to flood to a depth of up to 0.5m in the event of a breach of the Ely Ouse defenses and our Lidar data supports the land levels provided in the site plan. We have no objection to this application but strongly recommend that the mitigation measures proposed in the Flood Risk Assessment (FRA), Ref GCB/FLEET prepared by Geoff Beel Consultancy, dated June 2018 are adhered to in full.

It should be noted that the submitted FRA states that:

- Finished Floor Levels will be set at a minimum of 1.3m AOD
- 300mm of flood resilient construction to be incorporated into the development above the finished floor level.

The Ely Group Of Internal Drainage Board – The application states that surface water will be disposed of via soakaways. Provided that soakaways form an effective means of surface water disposal in this area, the Board will not object to this application. It is essential that any proposed soakaway does not cause flooding to neighbouring land. If soakaways are found not to be an effective means of surface



water disposal, the Board must be re-consulted in this matter, as the applicant would need the consent of the Board to discharge into any watercourse within the District.

Parish – The City of Ely Council has no concerns with this application and supports rural development.

Ward Councillors - No Comments Received

5.2 Neighbours – Three neighbouring properties were notified, however no responses have been received.

5.3 A site notice was posted on 28<sup>th</sup> June 2016 and an advert was placed in the Cambridge Evening News.

## **6.0 The Planning Policy Context**

6.1 East Cambridgeshire Local Plan 2015

ENV 1 Landscape and settlement character  
ENV 2 Design  
ENV 7 Biodiversity and geology  
ENV 8 Flood risk  
ENV 9 Pollution  
HOU8 Extension and replacement of dwellings in the countryside  
COM 7 Transport impact  
COM 8 Parking provision  
GROWTH 2 Locational strategy  
GROWTH 5 Presumption in favour of sustainable development

6.2 Supplementary Planning Documents

Design Guide  
Developer Contributions and Planning Obligations  
Flood and Water

6.3 National Planning Policy Framework 2012

6 Delivering a wide choice of high quality homes  
7 Requiring good design

6.4 Submitted Local Plan 2017

LP1A presumption in Favour of Sustainable Development  
LP3 The Settlement Hierarchy and the Countryside  
LP22 Achieving Design Excellence  
LP30 Conserving and Enhancing Biodiversity and Geodiversity  
LP26 Pollution and Land Contamination  
LP25 Managing Water Resources and Flood Risk  
LP17 Creating a Sustainable, Efficient and Resilient Transport Network

## **7.0 PLANNING COMMENTS**

- 7.1 The main considerations in the determination of this application are the principle of development, the residential amenity of nearby occupiers, the visual amenity and character of the wider area, flood risk and highway safety.
- 7.2 Principle of Development
- 7.3 An appeal decision (APP/V0510/17/3186785: Land off Mildenhall Road, Fordham') has concluded that the Council does not currently have an adequate five year supply of land for housing, and as such, the housing policies within the 2015 Local Plan (GROWTH 2) cannot be considered up-to-date in so far as it relates to the supply of housing land. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.
- 7.4 Paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. This section also states that Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances.
- 7.5 With regard to the existing dwellings along Ely Road, these are historic properties and remain isolated within the agricultural landscape. Where development has occurred to the west of the settlement boundary, these are replacement dwellings within the countryside. The application site is located approximately 600m to the west of Prickwillow. Public transport links are poor and this would mean that future occupiers of the proposed dwelling would rely on the use of a car to access basic services which is contrary to policy COM7 of the Local Plan 2015 and policy LP17 of the Submitted Local Plan 2017. The public highway between the site and Prickwillow does not benefit from pedestrian footpaths or street lighting, and therefore any person choosing to walk between the site and the nearby village would have little choice but to walk on the public highway.
- 7.6 Due to these factors it is considered that the proposal for a new dwelling is not sustainable development. However the applicant is proposing the replacement of an existing dwelling, and therefore the proposal needs to be assessed against policy HOU8 of the Local Plan 2015 and policy LP31 of the Submitted Local Plan 2017.
- 7.7 Policy HOU8 of the Local Plan 2015 requires proposals for the replacement of dwellings in the countryside to ensure that the scale and design is sensitive to its countryside setting, with its height being similar to that of the original dwelling. If an alternative height is proposed, the applicant will be expected to demonstrate that the scheme exhibits exceptionally high quality of design and enhances the

character and appearance of the locality. Policy LP31 of the Submitted Local Plan 2017 goes on to require proposals for the replacement of dwellings within the countryside to ensure that the replacement dwelling would be located on the existing footprint unless it can be demonstrated that an alternative position would provide notable benefits and have no adverse impacts on the wider setting. The emerging Plan policy is a material consideration.

- 7.8 The proposed replacement dwelling would not be located on the existing footprint and would be located approximately 8m to the east, for which no justification has been put forward. In addition, the existing dwelling is single storey with rooms in the roof, with a height of 5.8m. The height of the replacement dwelling would be 8m. The proposal also includes the construction of a car port which measures 5.2m in height, 10m in width and 6.6m in depth. This is located adjacent to the dwelling fronting the public highway and would appear almost as tall as the height of the existing dwelling. The proposed replacement and car port would result in a large increase of built-form at the site, and would not be respectful of the existing level of built-form and character of the area. The proposed dwelling is a full two-storey dwelling and does not reflect the current single storey arrangement. The introduction of a dwelling of such a scale would create an urbanising impact in a rural countryside setting and is considered to be harmful to the character and appearance of the area, where dwellings are generally more traditional and smaller in scale. This is contrary to policy HOU8 of the Local Plan 2015 and policy LP31 of the Submitted Local Plan 2017 as the scale and design is not sensitive to its countryside setting and the scheme does not exhibit an exceptionally high quality of design.
- 7.9 Residential Amenity
- 7.10 Policy ENV2 of the East Cambridgeshire District Council's Local Plan 2015 and policy LP22 of the Submitted Local Plan 2017 require that proposals ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers.
- 7.11 The proposed replacement dwelling is positioned a significant distance from neighbouring dwellings and it is therefore considered that the proposed dwelling is sufficient distance to prevent impacts such as overlooking, overshadowing or overbearing. However unless the agricultural building is retained the proposed occupiers are likely to suffer noise disturbance from the railway and future occupiers are also likely to experience noise disturbance from the farm activities immediately adjacent to the dwelling. If the building is retained the former could be overcome and this could be secured by condition. However loss of residential amenity is likely to occur to future occupiers from the farm activities which exist to the rear and from the farm access to the east, as it is not linked to the business and no agricultural justification has been put forward. This is contrary to Policies ENV2 and ENV9 of the Local Plan 2015 and LP22 and LP26 of the Submitted Local Plan 2017, in so far as it could also curtail the future operations of the farm business.
- 7.12 Visual Amenity

- 7.13 Policy ENV1 of the East Cambridgeshire Local Plan 2015 and policy LP28 of the Submitted Local Plan 2017 require proposals to demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development. In addition, proposals are required to protect, conserve and enhance the pattern of distinctive traditional landscape features and the unspoilt nature and tranquillity of the area.
- 7.14 The site has the appearance of an agricultural unit, with a modest dwelling and large barn. The addition of a full height two storey dwelling in this location would create an urbanising effect which is contrary to the character of the area. It is considered that the siting of this dwelling with a height of 8m together with the provision of a 3 bay car port would cause significant and demonstrable harm to the character of the countryside. The visual impact would be exacerbated by the necessary alterations to the frontage in order to accommodate residential access and parking arrangements for the dwelling.
- 7.15 The visual harm weighs against the proposal to the extent that it would significantly and demonstrably outweigh the benefits of new housing provision, contrary to policies GROWTH2 and ENV1 of the Local Plan 2015 and the NPPF.
- 7.16 Flood Risk and Drainage
- 7.17 The site lies within Flood Zone 3 as identified within the Environment Agency Flood Zone Maps. Within such areas the NPPF makes it clear in paragraph 14 that even if the development plan is out of date due to the lack of a 5 year housing land supply, the harm from developing sites at risk from flooding should not be outweighed as specific policies in the Framework indicate development in such areas should be restricted. As these areas are vulnerable to flooding, the proposal needs to be assessed against policy ENV 8 of the East Cambridgeshire Local Plan 2015, policy LP25 of the Submitted Local Plan 2017, the Planning practice Guidance on Flooding and Coastal Change and paragraphs 100-104 of the NPPF.
- 7.18 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. As the development is considered to be a more vulnerable use and within Flood Zone 3, The Sequential Test must be applied to steer new development to areas with the lowest probability of flooding.
- 7.19 The agent has submitted a Flood Risk Assessment (FRA) alongside the application. Policy ENV8 of the Local Plan 2015 requires a site specific FRA is submitted for these sites. The FRA identifies that the sequential test has been met as there are no other sites within Prickwillow which are at a lower risk of flooding. In any event, the proposal is for a replacement dwelling. The Environment Agency have raised no objections to the development, following the submission of a Flood Risk Assessment. The Local Planning Authority is satisfied that the Flood Risk Assessment adequately addresses any flood risk on the site and presents suitable mitigation methods against the residual risk of flooding. As the proposal is for a replacement dwelling, the principle of development in this potentially at-risk location is deemed acceptable. The FRA advises that residential floor levels will be

set at a minimum of 1.3m AOD and that flood resilient construction will be used for a further 300mm above finished floor levels. The Environment Agency have chosen not to object because the proposed mitigation measures should ensure that the development will be safe for its lifetime. Surface water drainage will be dealt with by rainwater harvesting and soakaways.

7.20 Highways

7.21 The Local Highways Authority has been consulted regarding the application and has confirmed that they have no objection in principal. There is adequate room on the site for vehicles to park and manoeuvre in order to leave the site in a forward gear. The proposal therefore complies with policies COM7 and COM8 of the Local Plan 2015, and policies LP17 and LP22 of the Submitted Local Plan 2017.

7.22 Planning Balance

7.23 The proposal would provide a replacement dwelling which would be built to modern, sustainable building standards and would make a positive contribution to the local and wider economy in the short term through construction work, although this has limited weight in favour of the proposal.

7.24 It is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused by the siting of a large and dominant form of development in an unsustainable location.

7.25 The application is therefore considered to be contrary to policies within the East Cambridgeshire Local Plan 2015 and the Submitted Local Plan 2017.

8.0 APPENDICES

8.1 None

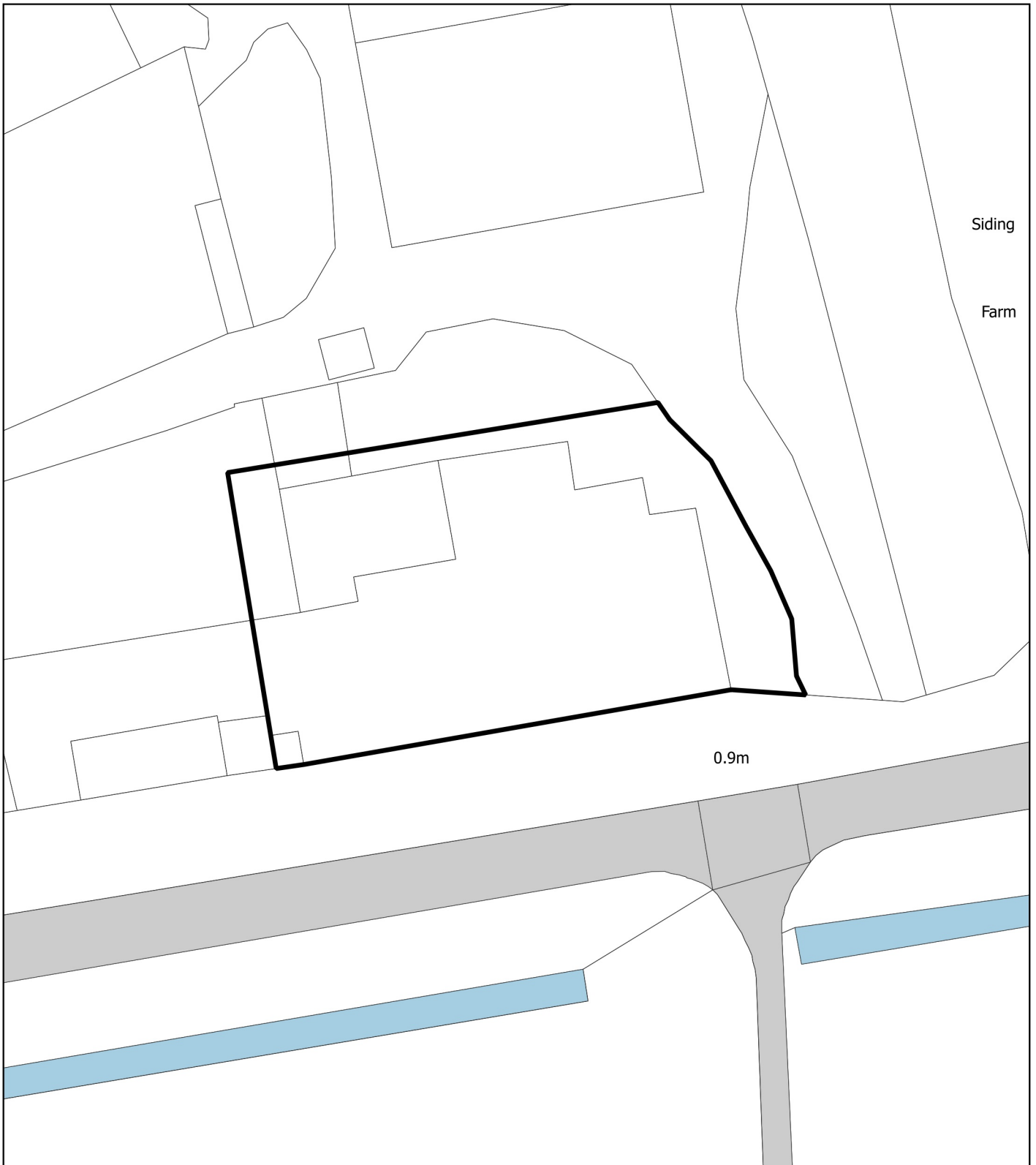
<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00749/FUL	Catherine Looper Room No. 011 The Grange	Catherine Looper Planning Officer 01353 665555
11/00261/FUL 17/01362/FUL	Ely	catherine.looper@eastcambs.gov.uk

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>



18/00749/FUL

Sidings Farm  
Ely Road  
Prickwillow



East Cambridgeshire  
District Council

Date: 17/07/2018  
Scale: 1:500



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**MAIN CASE**

**Reference No:** EXT/00011/18

**Proposal:** SOUTH CAMBS - Outline planning permission (with all matters reserved) for development of up to 4500 dwellings, dwellings business, retail, community, leisure and sports uses; new primary and secondary schools and sixth form centre; public open spaces including parks and ecological areas; points of access, associated drainage and other infrastructure, groundworks, landscaping and highway works.

**Site Address:** Land Adj To Waterbeach Barracks & Airfield Site  
Waterbeach Cambs

**Applicant:** RWL Estates

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

**Parish:**

**Ward:** Ward Councillor/s:

**Date Received:** 12 June 2018      **Expiry Date:** Consultation expected on the 6 August 2018

[T77]

1.0 **RECOMMENDATION**

1.1 Members are recommended to support the following wording:

I refer to your consultation letter of 12 June 2018 in respect of the above mentioned application.

East Cambridgeshire District Council Planning Authority supports the proposal for a New Town at Waterbeach and therefore supports in principle this application. However, at the current time we place a holding objection on this proposal in regards to transport.

It is considered a great positive that an improved train station for Waterbeach is being brought forward in the very early stages of the development and later further improved.

While it is accepted that a substantial train station and associated parking will provide great train links to Cambridge, London and Ely. It is unlikely to bring a large number of people traveling south off the A10 to use the public transport, therefore, will provide a substantial additional burden on the A10 between Waterbeach and Cambridge Science Park.

There is also significant doubt by virtue of the developer not considering the impact that the developments at North Ely might have (planning reference 11/01077/ESO and 13/00785/ESO) on traffic on the A10, as this not covered under Table 8.8 (page 320).

We request that the transport data submitted by the developer is very carefully considered and analysed by both South Cambridgeshire District Council and Cambridgeshire County Council. While there is still substantial doubt over the submitted information, we are unable to support.

We also seek to ensure that any comments from Swaffham Prior, Swaffham Bulbeck and Lode are fully considered as if they were an adjacent Parish.

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application is approximately half of the proposed Waterbeach New Town on the ex-military base to the north of Waterbeach as described in the proposal of the application. The site includes the proposed relocation of the train station, though the creation of platforms and station car park are covered by a separate planning application (S/0791/18/FL).
- 2.2 The planning application (S/2075/18/OL), plans and documents submitted by the Applicant can be viewed online via South Cambridgeshire District Council's Public Access online service, via the following link  
<https://www.scambs.gov.uk/Environment/Planning>

## 3.0 PLANNING HISTORY

- 3.1 Previous comments from East Cambridgeshire District Council in regards to the western half of the new town (application S/0559/17/OL).

**Outline planning application for up to 6,500 dwellings (including up to 600 residential institutional units), business, retail, community, leisure and sports uses; a hotel; new primary and secondary schools; green open spaces including parks, ecological area and woodlands; principle new accessed from the A10 and other points of access; associated infrastructure, groundworks and demolition; with all matters reserved except for the first primary junction from the A10.**

I refer to your consultation letter of 9 March 2017 in respect of the above mentioned application.

East Cambridgeshire District Council, as Local Planning Authority, wishes to formally lodge a holding objection in relation to planning application S/0559/OL. The reasons for such a holding objection solely relate to transport issues.



The planning application has been submitted prematurely, without the proper consideration of the wider transport implications and it is believed that a new transport/EIA must be submitted to take into consideration the work that is ongoing with A10 studies and the impacts on the railway network, namely Soham Railway Station.

The proposal relies on work currently being undertaken by the City Deal and presumes that the City Deal will take impacts of the A10 into consideration. The proposal considers that a 5% increase in traffic on the A10 would not be significantly detrimental to traffic flow on the A10, this raises serious concerns and the developer has not adequately demonstrated that such impact is not significant.

On review, the applicant has failed to consider the proposal for a train station in Soham, which is a corporate priority for ECDC and is referenced in the devolution deal for Cambridgeshire and Peterborough. Once Soham railway station is complete the residents of Soham travelling to the train stations in Cambridge will need to connect in Ely. If the developer is relying on residents travelling by train then proper consideration should be given to the wider impact of rail travel. An EIA needs to consider the impacts of the growth proposed in Soham and the impact of Soham railway station. In addition to this the EIA should consider the impact of the major growth planned for East Cambridgeshire; 3,000 new homes in North Ely and proposed development in Littleport.

There are further concerns to the submissions made. It is proposed that there will be a park and ride; where will this be located and how will this operate? References are made to the new Waterbeach train station, will the existing train station be closed as a result of a new station, what is the indicative timetable for this?

Until these matters are addressed in an amended transport assessment/EIA, it is not possible for East Cambridgeshire District Council, as the Local Planning Authority, to properly assess the impacts that this strategic development will have.

The above mentioned submission should be properly considered by the applicant in the relevant assessment. Once these amendments have been considered, ECDC will be in a better position to make proper representations on the planning application.

#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located within the Authority of South Cambridgeshire District Council and is to the ex-military base to the north of Waterbeach. The eastern boundary is defined by the railway that runs between Ely and Cambridge.

#### 5.0 PLANNING COMMENTS

5.1 With the location of this site the main consideration to East Cambridgeshire District Council is considered to be the impact on transport movements (primarily on the A10 and the railway line). While the development will be visible (across the River Cam) to the parishes of Swaffham Prior, Swaffham Bulbeck and Lode this impact would always be expected with bringing this large amount of development forward and will not impact on the villages within these parishes; as the villages are set a

significant distance away from the River Cam. It has been requested that South Cambridgeshire District Council consult these parishes and any comments they provide are fully considered as adjacent parishes.

- 5.2 With the closeness of the development to the River Cam that drains into Great Ouse there is the potential for the proposal to create flooding downstream. However, the Lead Local Flood Authority has already objected to the development. This potential issue, therefore, has already been fully considered by the relevant professional.
- 5.3 Transport
- 5.4 The submitted Environmental Statement (ES, page 322-323) does not appear to have considered the North Ely developments (covered by planning applications 11/1077/ESO and 13/00785/ESO). It also needs to make reference to the updated employment on the southern side of Ely (planning application 17/00428/FUM).
- 5.5 The developer's ES (page 318) makes reference to the new Waterbeach railway station to be in place from 2021. However, shortly after it clarifies that this will only be the platforms and that the train station and the majority of the parking will not be available till 2031. It is this later capacity, according to the ES that will encourage southbound A10 users to use the proposed public transport.
- 5.6 While the significant investment in public infrastructure is welcome; early investment appears unlinked to the development as it is covered by a separate application. The train station/park and ride is approximately a 10 minute detour from the A10 to catch a train or wait for the next bus. Presuming there is a public transport option every 15 minutes, which is the expected growth in trains stopping at Waterbeach on route to Cambridge, this is a maximum predicted detour of 25 minutes. It is also not known what A10 users from the north are expected to make this detour, with Ely already having a well-developed train station with substantial parking in its vicinity and there are still problems with congestion on the A10 at present. The reduction in traffic traveling south along the A10 past the junction into the site is likely to be low.
- 5.7 The improvements to public transport might encourage some of the users of the A10 in close proximity to the application site such as Cottenham, Horningsea and Landbeach in coming to this train station rather than Cambridge North, thus making an improvement at the A10/A14 junction.
- 5.8 While it is accepted that a new train station in Waterbeach, which is able to cater for a far greater capacity of trains is a benefit of the proposal. Concerns are raised that the developer is relying too heavily on its attraction to road users heading southwards along the A10. It is accepted that this will substantially deter people from Waterbeach driving into Cambridge.
- 5.9 In regards to car movements the greatest change is in the morning rush hour (8-9am) on the A10 by 2031:
- -2% north of Cambridge Research Park. It is presumed based on people exiting to use the park and ride/railway station proposed in the entirety of the Waterbeach new town.

- +9% A10 north of Denny End Road. Presumed as the new dwellings join the A10.
- +5% A10 south of Car Dyke Road but by the time it gets to Ely Road junction with the A10 (Milton) this has increased to 42%.

- 5.10 Even taking a 5 – 10% increase along the A10 traffic heading into Cambridge is considered to be significant increase on a road that is known to have a significant traffic problem. The numbers also suggest that a lot more people will be joining the A10 from the new development then will be attracted off the A10 who were traveling south towards Cambridge. This will very likely detrimentally affect residents in East Cambridgeshire who are either further delayed getting into work or have to find alternative options.
- 5.11 The ES (page 348) states that Stretham roundabout will reach capacity by 2026 and will require intervention prior to 2031, but concludes that the impact from this development will be negligible. This view is accepted, as it is believed that relatively few people will travel from Waterbeach towards Ely in the rush hour.
- 5.12 The ES (page 351) states there will be a “permanent adverse effect of minor to moderate significance on the safety of road users on A10 Ely Road”. It is expected that the Local Highways Authority will comment in this regard and that their comments will hold significant weight in any determination.
- 5.13 Planning Balance
- 5.14 That a holding objection should be provided to South Cambridgeshire District Council in regards to this development, as defined by paragraph 1.1.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
EXT/00011/18 (SCDC reference S/2075/18/OL)	Andrew Phillips Room No. 011 The Grange Ely	Andrew Phillips Senior Planning Officer 01353 665555 andrew.phillips@ea stcambs.gov.uk
EXT/00004/17 (SCDC reference S/0559/17/OL)		
S/0791/18/FL		

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>

## **Planning Performance – June 2018**

Planning will report a summary of performance. This will be for the month before last month, as this allows for all applications to be validated and gives a true representation.

All figures include all types of planning applications.

	<b>Total</b>	<b>Major</b>	<b>Minor</b>	<b>Householder</b>	<b>Other</b>	<b>DIS/Trees /NMA</b>
<b>Validation</b>	<b>154</b>	<b>8</b>	<b>46</b>	<b>40</b>	<b>9</b>	<b>51</b>
<b>Determinations</b>	<b>165</b>	<b>4</b>	<b>45</b>	<b>50</b>	<b>23</b>	<b>43</b>
<b>Determined on time (%)</b>		<b>100%</b> (70% within 13 weeks)	<b>91%</b> (75% within 8 weeks)	<b>98%</b> (90% within 8 weeks)	<b>100%</b> (90% within 8 weeks)	<b>81%</b>
<b>Approved</b>	<b>143</b>	<b>3</b>	<b>39</b>	<b>47</b>	<b>14</b>	<b>40</b>
<b>Refused</b>	<b>22</b>	<b>1</b>	<b>6</b>	<b>3</b>	<b>9</b>	<b>3</b>
<b>Open Cases by Team</b>						
<b>Team 1 (3.5 FTE)</b>	<b>155</b>	<b>14</b>	<b>48</b>	<b>14</b>	<b>15</b>	<b>64</b>
<b>Team 2 (4 FTE)</b>	<b>124</b>	<b>11</b>	<b>21</b>	<b>54</b>	<b>15</b>	<b>23</b>
<b>Team 3 (1 FTE)</b>	<b>72</b>	<b>6</b>	<b>28</b>	<b>1</b>	<b>8</b>	<b>29</b>
<b>No Team (4 FTE)</b>	<b>43</b>	<b>5</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>35</b>

### **No Team includes – Planning Manager, Trees Officers (x2) and Agency Worker**

The Planning department received a total of 185 applications during June which is a 15% decrease on June 2017 (199) and 7% decrease from May 2018 (199).

### **Valid Appeals received – 3**

Land Northeast Of 37 And 38 High Street Chippenham - Committee Decision  
22A New River Bank Littleport Ely – Committee Decision  
College Farm Main Street Wentworth Ely – Delegated Decision

### **Appeals decided – 0**

### **Enforcement**

New Complaints registered – 24 (1 Proactive)  
Cases closed – 18 (8 Proactive)  
Open cases/officer (2FTE) – 175 /2 = 87.5 per FTE (40 Proactive)

### **Notices served – 0**

### **Other Information**

Court Ruling to Quash decision 17/02082/FUL - Little Tunbridge 28 Lode Road Bottisham application 'Live' again. Reconsultation with consultees, neighbours and Contributors 10/07/2018 with amended plans submitted. Site notice posted 17/07/2018.