

Isleham Neighbourhood Plan Reg. 16 Publication: Representations Received

ECDC published the draft Isleham Neighbourhood Plan for the period 08 December 2021 to 26 January 2022. The table sets out all comments received during the publication period. Comments are arranged alphabetically by name of organisation, or by surname where submitted by an individual.

| Name | Date received | Comments |
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| Abbey Properties Cambridgeshire Limited - Andy Brand MRTPI, Planning Director | 26/01/2022 | <p>Objection to Isleham Neighbourhood Plan Submission Version (December 2021)</p> <p>On behalf of Robin Diver and Abbey Properties Cambridgeshire Limited please find below our objections to the Isleham Neighbourhood Plan Submission Version (“the Draft NP”).</p> <p>Before setting out our objections we would like to make it clear that this Regulation 16 consultation has taken place based upon the Regulation 15 version of the Draft NP as confirmed by Section 1 (page 6) of the Draft NP which is on the Council’s website. It appears that the previous consultation referred to in Section 1 of the Draft NP was in fact a Regulation 14 document. This should be corrected if so.</p> <p>Our representations relate to the site identified as AOS3 in the Strategic Environmental Assessment Environmental Report (December 2021) (“the SEA Report”). Mr Diver is the landowner for that site and Abbey Properties Cambridgeshire Limited are promoting the land for residential development.</p> <p>We have several reservations over the Draft NP and do not consider that it satisfies the basic conditions under Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) for the reasons which are set out below.</p> <p>We would also note here that should planning application number 21/01572/FUM be approved by the District Council before the Draft NP is adopted then the Draft NP will not contain any housing allocations.</p> <p>As an observation it would be helpful if the Draft NP included paragraph numbers.</p> <p><i>Comments on the Draft NP Submission Version – December 2021</i></p> <p>Regarding pages 12 and 13 we note the shortage of smaller accommodation (including flats) and note that the Draft NP does not seek to address this matter through any housing allocation for this type of development. There does not appear to be any justification for this omission which is particularly important given that the Draft NP specifically points out the lack of smaller homes having been and being built in the village despite a demonstrable need for housing of all tenures.</p> |

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| | | <p>On page 24 it would be helpful to confirm that the 2021 version of the NPPF has been considered as part of the Draft NP.</p> <p>On page 25 the proposed allocation of 45 new homes is identified. The text suggests that the housing will reflect the need to prioritise affordable housing. Draft Policy 1c though does not require the delivery of affordable housing at the site over and above the level required by Local Plan Policy HOU3. Planning application 21/01572/FUM includes an affordable housing statement which states (at paragraph 2.4) that the development is to be 100% affordable. It is unclear when reading the plan whether Allocation ISL7 is intended to be for affordable housing only.</p> <p>If the allocation is not for affordable housing only then site AOS3 within the SEA Report is available, accessible, serviceable, suitable, and viable to deliver new housing within a sustainable and preferable location to draft Allocation ISL7.</p> <p>Within the SEA Report Site AOS3 is determined to be less favourable to draft Allocation ISL7 owing to the presence of surface water constraints on part of the site (as per Map 10 of the SEA Report). However draft Allocation ISL7 is within a Source Protection Zone and so is constrained also.</p> <p>The former use of Site AOS3 before the current arable use was for limestone extraction. The site therefore sits in a basin and has not, to the knowledge of the landowner, flooded. This would suggest that this site drains well and should be suitable subject to using Sustainable Drainage techniques. Allocating site AOS3 for residential development would therefore be a more sustainable option than draft Allocations ISL7.</p> <p>Fundamentally site AOS3 is within a more central location within the village than Allocation ISL7 and is therefore demonstrably closer to existing services and facilities within the village.</p> <p>Site AOS3 would therefore be a logical extension to the settlement boundary given the location of housing to all four sides of the site. Indeed Site AOS3 would represent an infill style development as opposed to the extension of the settlement boundary proposed by Allocation ISL7. The landscape effects can be demonstrated as considerably less than those which would arise from developing Allocation ISL7.</p> <p>Site AOS3 is free from archaeological interest (as confirmed in the SEA Report by the County Council); benefits from a range of access options and is also capable of delivering affordable housing.</p> <p>Page 34 of the Draft NP includes reference to a deficit of Public Open Space within the village. The plan does not positively seek to address this shortfall despite the shortfall being considerable at 5.88 hectares. Allocating site AOS3 for residential development would enable the delivery of public open space above policy requirements which would be capable of reducing the existing shortfall and provide a significant community benefit. Allocation ISL7 does not include such benefits.</p> |
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We appreciate that the availability of Site AOS3 has not been confirmed previously but this letter confirms that the site is available. This centrally located land remnant can be easily accessed to facilitate sustainable development and positively contribute to people's lives with much needed housing of all tenures. It's therefore essential this site enables housing delivery to support the growth of the village community under this plan and the wider district. The Draft NP therefore needs to give the site full and thorough consideration as a favourable housing allocation to site ISL7 under Policy 1c and fill in the last remnant of the settlement boundary by modifying the settlement boundary plan accordingly.

Comments on the Draft NP Consultation Statement – November 2021

Page 5 of the documents identifies that Allocation ISL7 is intended to provide genuine affordable housing. The ownership of the land (by a Charity) appears to be material to the allocation, but land ownership may change and, as mentioned above, Draft NP Policy 1c does not allocate the land for affordable housing levels over and above usual policy levels.

Comments on the Basic Conditions Statement – November 2021

Please see our concluding comments below.

Conclusion

Overall the Draft NP does not satisfy the basic conditions test for the reasons set out above and summarised further below:

1) Is it appropriate to make the Draft NP

Given that the Draft NP does not identify a need for new housing we do question whether the Draft NP is required as the adopted Local Plan Policies already provide for the location of and framework for new development.

The Draft NP appears to be a document aimed to restrict new development rather than seeking to facilitate new development and the growth of the community. There is one allocation (ISL7) but it is not clear whether the allocation is for 100% affordable housing: the current planning application does state that it is to be used for 100% affordable housing but policy 1c of the Draft NP does not require this.

If the allocation is for 100% affordable housing, then Local Plan Policy HOU4 would enable the development to be permitted and as such allocation ISL7 is not necessary.

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| | | <p>If the allocation is not for 100% affordable housing (which would reflect the current wording of draft policy 1c) then site AOS3 should be allocated in lieu of ISL7. Site AOS3 is also capable of accommodating additional public open space to address the significant shortfall within the village and designed to enhance the enjoyment of this public open space for the benefit of the community.</p> <p>Finally the Draft NP is being proposed at a time when the District Council is undertaking a Single Issue Review of the adopted Local Plan. This relates to housing figures and the outcome of that process is unknown currently. Should the housing figure alter then the implications of this will need to be considered relative to the Draft NP.</p> <p>The Draft NP may also need to consider any changes to national planning policy should they arise.</p> <p><i>2) Does the Draft NP contribute to the achievement of sustainable development?</i></p> <p>We do not consider that sufficient evidence has been provided within the Draft NP (including the supporting documents) to demonstrate that this has been achieved in any way. The plan purports to seek to provide new housing but in effect the Draft NP is seeking to constrain new housing to the level already approved by the District Council albeit with a single allocation which may or may not relate to the delivery of solely affordable housing.</p> <p>Given the plan period to 2031 this is a short-term and introspective position to adopt and one which fails to significantly boost the supply of housing. We are not therefore persuaded that the Draft NP contributes to the achievement of sustainable development.</p> <p><i>3) Is the Draft NP in general conformity with the strategic policies within the development plan?</i></p> <p>The strategic policies of the Local Plan do not foster additional housing development and the current Single Issue Review of the Local Plan will need to consider the implications of this. Our position is therefore reserved in this event.</p> <p><i>4) Does the Draft NP breach EU obligations</i></p> <p>We have not found any conflicts in this regard.</p> <p>Having regard to the Planning Practice Guidance we are not aware that the prescribed conditions are not met by the Draft NP. We reserve the right to make further representations in respect of the Draft NP should additional information/evidence be forthcoming.</p> |
| <p>The Coal Authority – Deb Roberts MSc MRTPI,</p> | <p>16/12/2021</p> | <p>Thank you for your email below regarding the draft Isleham Neighbourhood Plan Consultation.</p> <p>The Coal Authority is only a statutory consultee for coalfield Local Authorities. As East Cambridgeshire District Council lies outside the coalfield, there is no requirement for you to consult us and / or notify us of any emerging neighbourhood plans.</p> |

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| Planning & Development Manager | | This email can be used as evidence for the legal and procedural consultation requirements at examination, if necessary. |
| Drum, R | 10/12/2021 | <p>I am writing to express a couple of comments regarding the Isleham neighbourhood plan. Please find my comments below:</p> <ul style="list-style-type: none"> • There are many people in the community who cannot find affordable family homes especially with enough space for young children. Houses built on new developments in my opinion do not offer the space required for a family either inside the home or with enough outdoor space. Developers try to fit as many units on a piece of land to maximise profits which compromises space and yes they are adequate and people make them work but what's wrong with wanting something more comfortable? The plan shows some areas for development but I would like you to consider some of these areas to be reserved specifically for self builders who would be able to buy a plot (preferably from the land owner and not a developer) and build a home with the space they are desiring in an affordable way without having to pay the developers premium. This would also benefit local trades persons who would be employed to carry out the building work rather than national suppliers from the developers supply chain. I would like this to be considered on an entire development instead of a segment of a development as I believe this will create a stronger community spirit. • The MUGA pitch described in the document as a local facility is not as describes and is no longer fit for purpose. The local football team can no longer use this as a training facility due to how dangerous the surface has become. Isleham Youth FC are spending thousands every year on facilities outside the Isleham community so I would like to see some investment in this so that the football club can reinvest in its community instead of spending their money elsewhere. • The land reserved by the Bloor Homes development should be considered for additional facilities for the Beeches and recreation ground which will allow more car parking facilities, thus reducing the parking on public roads during busy times. The land could be used to create a new 4G facility where the old MUGA can be demolished to create parking or used to create more green space where parking could be created where existing green areas currently are. <p>I thank you for the opportunity to comment and I hope that you consider these as I think they will benefit the local community enormously.</p> |
| East Cambridgeshire District Council, Edward Dade Strategic Planning Officer | 20/01/2022 | <p style="text-align: center;"><u>RE: Isleham Neighbourhood Plan (Submission Version)</u></p> <p>This letter sets out East Cambridgeshire District Council's (ECDC) response to the Draft Isleham Neighbourhood Plan (INP) which was submitted to ECDC in December 2021.</p> <p><i>Policy 1a: Housing Growth</i></p> |

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| | | <p>The policy confirms the indicative housing requirement for Isleham Neighbourhood Area between 2020 and 2031 (0 dwellings). This indicative housing requirement reflects the <i>East Cambridgeshire Local Plan 2015's locational strategy</i>¹ which concentrates the significant majority of development in the market towns of Ely, Soham and Littleport, and ECDC's monitoring of housing completions and committed sites which shows that the Local Plan's housing 'target' for the <i>villages and rural windfall</i> has been exceeded.</p> <p>Neighbourhood Plans are an important mechanism for delivering growth, and the government's <i>Planning Practice Guidance</i> states that Neighbourhood plans should exceed their housing requirement figure, <i>where possible</i>². The inclusion of an additional/extended site allocation at <i>Land off Fordham Rd</i> is therefore welcomed. Since the plan period of the draft Isleham Neighbourhood Plan extends beyond that of the Local Plan, the site allocation could play an important role in meeting development needs in the future.</p> <p>The policy defines a new <i>Development Envelope for Isleham</i>, which reflects recent changes to the built area of the village and recent planning decisions. Once made, this new Development Envelope will take precedence over the current Development Envelope (as set by the Local Plan 2015, GROWTH 2).</p> <p>At present strategic policies are set out in the Local Plan 2015, although that plan does not explicitly define which policies are strategic and non-strategic. ECDC considers that the INP's approach to housing growth achieves general conformity with the strategic policies of the Development Plan.</p> <p>ECDC can confirm it has received a 'full' planning application relating to draft site allocation ISL7 for the <i>construction of 45 dwellings, new access, estate roads, driveways, parking areas, open space, external lighting, pumping station and associated infrastructure</i> (planning application reference: 21/01572/FUM). The application is currently pending determination and its documents are available to view at:</p> <p>https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R1N41LGGHCB00</p> <p>Table 9: Site Allocations (Housing) 2015 Local Plan (p19) Some information presented in the table of existing site allocations requires updating. Namely:</p> <ul style="list-style-type: none"> • ISL1 – Full planning application 21/01572/FUM <i>Construction of 45 dwellings, new access, estate roads, driveways, parking areas, open space, external lighting, pumping station and associated infrastructure</i> validated by ECDC in October 2021 and is currently pending determination. • ISL3 – Outline planning application 20/00260/OUM <i>Erection of 17 dwellings and new access</i> was approved on 24 June 2021. |
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¹ Local Plan 2015 policy GROWTH2

² Paragraph: 103 Reference ID: 41-103-20190509

- ISLH4 – Reserved matters application 19/00447/RMM | *Reserved Matters for the construction of 121 dwellings and associated works following approval of outline planning permission 18/00363/OUM* was approved in December 2019. The site is currently under construction.

Policy 6: Heritage Assets & Locally Important Buildings & Structures

The INP’s strong focus on the historic environment is welcomed. ECDC understands that Policy 6 seeks to conserve a number of ‘Locally Important Buildings’ (or ILIBs) which *‘are of particular importance for the street setting in their location or for their prominence or historic relevance to Isleham’* (p45).

Page 45 indicates that *‘Listed buildings have not been included in this designation as they have a higher order of protection already’*. However, this is not accurate. Most of the ILIBs identified by the policy benefit from statutory designation.

Listed buildings are designated by Historic England and have a high order of legal protection. Locally listed buildings are, as the name suggests, designated by the local planning authority and whilst their status is a material consideration in the planning process, do not carry the same weight as statutory listing. It is therefore important not to conflate the two, as Policy 6 does. For example, the following ILIBs are also *Listed Buildings* –

- ILIB 01 The Priory - *Grade I*
- ILIB 03 St Andrew’s Church & social Centre - *Grade I*
- ILIB 04 Isleham Hall - *Grade II*
- ILIB 05 Lady Peyton Alms Houses - *Grade I*
- ILIB 06 Corner House - *Grade I*
- ILIB 08 The Sun - *Grade II*
- ILIB 09 The Griffin - *Grade II*
- ILIB 10 Merry Monk - *Grade II*
- ILB 12 Manor House - *Grade II*
- ILB 13 Lime Kilns - *Grade I / Scheduled Monument*

Whereas the following ILIBs have no statutory designation:

- ILIB 02 The Ark Church
- ILIB 07 Old Fire Station
- ILIB 11 Zoar Chapel

ECDC is concerned that Policy 6 may lead to confusion as it may imply that all ILIBs lack statutory designation. ECDC requests that the policy be amended to remove all those with statutory designation, and retain only those which do not.

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| | | <p>Policy 7: Wildlife and habitats</p> <p>The Environment Act received royal assent on 09 November 2021. The policy as drafted refers to the Environment <i>Bill</i>. The policy should be amended to reflect the current status of this legislation.</p> <p>Strategic Environmental Assessment (SEA)</p> <p>ECDC is the “responsible authority” for the purpose of SEA. ECDC subject the INP to the SEA process during the plan’s preparation. ECDC is satisfied that the submitted INP reflects the recommendations of the <i>Environmental Report</i>.</p> <p>ECDC has issued a <i>Determination Statement</i>³ which confirms it is satisfied that implementation of the INP is not likely to give rise to significant effects on the environment</p> <p>In conclusion, ECDC considers that subject to addressing the points raised in this letter the Isleham Neighbourhood Plan appears capable of satisfying the basic conditions and other relevant legal obligations.</p> |
| Historic England – Edward James Historic Places Advisor | 14/01/2022 | <p>Ref: Isleham Neighbourhood Plan Regulation 16 Consultation</p> <p>Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.</p> <p>We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into your neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/></p> <p>I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed NP, where we consider these would have an adverse effect on the historic environment.</p> <p>Please do contact me, either via email or the number above, if you have any queries.</p> |
| Middle Fen and Mere Internal | 07/01/2022 | <p>Whilst the Board has no specific issues to raise in relation to the questions in the questionnaire, we would like to make some general comments in relation to drainage.</p> |

³ Available at: <https://www.eastcambs.gov.uk/local-development-framework/isleham-neighbourhood-plan>

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| <p>Drainage Board - Andrew Newton, Engineer to the Board</p> | | <p>The majority of the village is outside of the Middle Fen and Mere Internal Drainage District. However, it is in a highland area that drains into it. This part of the District flows to the Board's New Mill Pumping Station, where water is pumped up into the River Lark.</p> <p>The Board's system has no residual capacity to accept new flows over the existing greenfield run-off rate. New developments need to include surface water features that control the rate of discharge. It is also essential that these features are maintained in the future, so they function to their design capacity.</p> <p>The Board maintains the watercourses it is responsible for (Main Drains) on an annual basis. It is essential that these works are undertaken to help reduce flood risk in the area. The works we undertake are in accordance with guidelines set out by the Board's Conservation Advisor.</p> <p>The Board notes that reference is made to the Future Fens Report on page 10. Please note this was published by the Environment Agency and not the Ely Group of IDBs.</p> |
| <p>Morgan Sport – Morgan</p> | <p>04/01/2022</p> | <p>Thank you for providing this opportunity to comment on the proposed Isleham Neighbourhood Plan. Having read the plan twice I support the Plan.</p> |
| <p>Natural England – Amy Knafler, Consultations Team</p> | <p>23/12/2021</p> | <p>Submission and Publication of Isleham Neighbourhood Plan (08 Dec 21 to 26 Jan 22)</p> <p>Thank you for your consultation on the above dated 08 December 2021.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any specific comments on this draft neighbourhood plan.</p> <p>However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.</p> <p><i>[Annex containing Natural England's standard advice available on request.]</i></p> |

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| Springfields Planning and Development Limited – Chris Loon BSc (Hons) Dip TP MRTPI | 25/01/2022 | <p>We write on behalf of our clients K & J Carpenter & Son regarding the Submission Version Isleham Neighbourhood Plan.</p> <p>We believe Policy H1a contains a typographical but fundamental error. It refers to the ‘Development Envelope’ as “(Map 3)”. However, Map 3 is the Local Plan 2015 Policies Map. The Development Envelope is referenced as Map 4 elsewhere within the Neighbourhood Plan and as such the reference in Policy H1a should change from “Map 3” to “Map 4”. Having reviewed the previous (Reg 14) Neighbourhood Plan, it appears that the Development Envelope was cited as Map 3, which probably explains the error, as it has now changed to Map 4 is the current version. The policy supports sustainable small scale and infill windfall development within the Development Boundary.</p> <p>On the basis of this policy intent and the requested update in map reference, our client is supportive of the Neighbourhood Plan, as they have land interests within the Development Boundary. If the Neighbourhood Plan’s intention is to restrict growth to that related to the Local Plan 2015 Policies Map (Map 3) then this would not be supported by our client as it would not reflect the NPPF’s emphasis on sustainable growth. However, it seems that is not the intention but merely that an error has been made.</p> <p>Acknowledgement of receipt would be appreciated.</p> |
| Witcham Parish Council – Mrs S J Bell, Clerk | 19/01/2022 | <p>The above was brought to the attention of Witcham Parish Councillors at our January meeting.</p> <p>There were no comments to submit.</p> |