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**MAIN CASE**

**Reference No:** 19/00447/RMM

**Proposal:** Reserved Matters for the construction of 121 dwellings and associated works following approval of outline planning permission 18/00363/OUM

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

**Applicant:** Bloor Homes Eastern

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

**Parish:** Isleham

**Ward:** Fordham And Isleham  
Ward Councillor/s: Julia Huffer  
Joshua Schumann

**Date Received:** 25 March 2019      **Expiry Date:** 18 November 2019  
[U104]

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**1.0 RECOMMENDATION**

1.1 Members are recommended to approve this application, subject to the recommended conditions below:

1. Approved plans
2. Time frame
3. Boundary treatment
4. Materials
5. Obscure glazing
6. Landscape details
7. Renewable energy
8. Biodiversity
9. Fordham Road footpath provision

**2.0 SUMMARY OF APPLICATION**

2.1 The proposal seeks reserved matters consent for appearance, landscaping, layout and scale for 121 dwellings following outline permission (including details of access) under planning reference 18/00363/OUM. The application has been amended several times, but the most significant amendment was to spread the development equally over the entire site rather than seeking to hold land in reserve. Other

amendments include, but not limited, providing more architectural features on dwellings, minimising the likelihood of people parking over footpaths and ensuring roads meet county standards.

- 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.eastcambbs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.3 On the recommendation of approval by Planning Committee for the outline consent (18/00363/OUM) it was on the basis that any reserved matters was to be determined by Planning Committee, as well as the recommended conditions and completion of a S106 Agreement.

### 3.0 PLANNING HISTORY

#### 3.1

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	Approved	08.11.2018
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Nearby history of specific relevance

18/01482/OUT	Residential development of nine single storey dwellings, garaging, parking, access road and associated site works - phased development was approved on the 21 February 2019
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### 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 Responses were received from the below consultees and these are summarised below. The full responses are available on the Council's web site.

### **Newmarket Town Council – 26 April 2019**

Raises concerns over the impact the proposal will have on the wider transport network and the potential reliance on Newmarket's services. It highlights the importance of its horse trade and the cumulative impacts the proposal might have.

#### **17 September 2019**

Stated that it declined to provide comments.

#### **22 October 2019**

Stated that it declined to comment.

### **Isleham Parish Council - 30 April 2019**

Objects to the proposal on the following grounds:

- 2.5 storey houses too much of an urban feature for Isleham.
- Seeks tandem parking to be reduced.
- The open space should line up with existing recreation ground and should be fenced and hedged.
- Overhead powerline needs to be buried.
- Plots 112, 113, 117 and 118 need to be single storey.
- Need for more affordable family homes.
- Seeks to ensure that affordable housing is first offered to local people.
- Seeks single bedroom units to be provided in the market housing.
- Seeks additional tree planting, specifically along Fordham Road.
- Road calming measures along Fordham Road.
- Wants to ensure East Cambs adopt public open space over a private management company.

#### **17 September 2019**

States:

- There is no design brief for the self-build houses, which prevents neighbours from making informed responses. There should be a clause on these houses that they are only single storey dwellings. This would be in line with Bloor homes commitment to build bungalows along the remaining stretch of this boundary.
- The school does not have the capacity for this number of new houses. Some residents of Hall Barn Road have already been unable to get their children into the school.

- To ensure a sufficient buffer between the existing houses on Hall Barn Road and the new development serious consideration should be given to increasing the gap between the two from 5m to 10m
- A condition must be made that there will be no further building in the remaining 'informal open spaces' identified on drawing EA129-LS-007a
- Concern continues regarding the number of identified parking spaces for a development of this size. Specifically:  
a clause should be included that will prevent garages being converted into living accommodation as this would further increase the parking on public highways further consideration should be given to the location of visiting parking bays , which are currently identified as only being along the eastern edge of the development the parking of visiting cars on Fordham Road will further increase risk to existing residents
- A clear and legally accountable strategy for the maintenance of the trees and other communal spaces needs to be established.
- To prevent parking on Fordham Road, the footpath entrance onto the site to the Early Years facility should be removed, sufficient parking spaces be built on site and a 'pedestrian proof' fence built along Fordham Road.
- To reduce light pollution to existing residents, street lighting on Fordham Road should face towards the development, rather than towards existing properties.
- Construction hours must be effectively monitored so that there is minimal impact on existing residents.
- There has been a continuing problem accessing the ECDC website. This has resulted in the registration of only 7 objections to date does not recognise the objections submitted to the original planning application
- Bloor Homes 'drip feeding' of amendments continually challenges residents to keep abreast of and respond to these proposals.”

## **22 October 2019**

### **States**

“Despite previous verbal commitments from Bloor homes that they would ensure all houses bordering Hall Barn Rd would be bungalows, this is clearly something that they have failed to adhere to. Specifically:

- Despite being the closest of all the new houses to any of the existing houses on Hall Barn Rd, this amendment continues to state that plots 116 and 177 remain two storey. This would clearly result in numbers 29, 29a and most notably 29b Hall Barn Rd being directly overlooked and losing their sunlight and privacy.
- The above is not helped by the fact that there is currently no garden to the west of plot 166, which must also be addressed
- Plots 102-105 are currently identified as being a BLA style construction. These are at least two and possibly 2.5 story houses. These would directly overlook and cause a loss of light to numbers 59 Hall Barn Rd and 4 Bryers Close
- Plots 112-115 (self-build) remain identified as two storey properties. These will clearly result in loss of privacy and sunlight to numbers 35a and 35b Hall Barn Rd

**We therefore reiterate our expectation that all of the plots adjacent to Hall Barn Rd are bungalows.**

- To ensure a sufficient buffer between the existing houses on Hall Barn Road and the new development we expect an increase in the buffer between the two from 5m to 10m
- We remain extremely concerned by the lack of clarity re the future of the 'informal open spaces' identified on drawing EA129-LS-007a (otherwise labelled the Leap on drawing P18-1261\_01). We regard this as an essential green space within this development and therefore expect a condition to be made that no further building is permitted on this land.
- Concern continues regarding the number of identified parking spaces for a development of this size. Specifically:
  - o a clause should be included that will prevent garages being converted into living accommodation as this would further increase the parking on public highways
  - o further consideration should be given to the location of visiting parking bays, which are currently identified as only being along the eastern edge of the development
  - o the parking of visiting cars on Fordham Road will further increase risk to existing residents
- A clear and legally accountable strategy for the maintenance of the trees and other communal spaces still needs to be established.
- To prevent parking on Fordham Road, the footpath entrance onto the site to the Early Years facility should be removed, sufficient parking spaces be built on site and a 'pedestrian proof' fence built along Fordham Road.
- To reduce light pollution top existing resident's street lighting on Fordham Road should face towards the development, rather than towards existing properties.
- Construction hours must be effectively monitored so that there is minimal impact on existing residents.
- The school does not have the capacity for this number of new houses. Some residents of Hall Barn Road have already been unable to get their children into the school.
- There has been a continuing problem accessing the ECDC website. This
  - o has resulted in the registration of only 7 objections to date
  - o does not recognise the objections submitted to the original planning application
- Bloor Homes 'drip feeding' of amendments continually challenges residents to keep abreast of and respond to these proposals."

### **Local Highways Authority – 29 April 2019**

Provides comments on how to make shared use areas adoptable, that it will not adopt visitor spaces unless they serve a highway function, the roads need to be designed to 20mph, provides guidance on visibility splays and required changed to layout.

### **1 October 2019**

“After a review of the amended layout plan I have the following comments:

1. The Primary Street varies in widths from 5m to approx. 5.5m in places. This should be consistent and a distance of 5.5m due to its proposed nature and use. Should this be less, vehicles larger than domestic cars will have to enter the other side of the road when going around the bends in the road. This is not acceptable from a highways perspective as it is detrimental to highways safety and will also impede other users of the highway.
2. The two shared areas at the bottom of the site are below CCC adoptable standard widths of 7m in total (6m + x2 0.5m maintenance strips)
3. The parking spaces between plots 50 / 51 is three a breast and would require vehicles to drive on to and reverse over the footway. This is not acceptable for highways safety reasons.

Please ensure any previous highways comments and requested amendments dated 29th April 2019 are included in any revised submission.”

### **21 October 2019**

States:

“After a review of the amended layout plan I have the following comments:

1. The Primary Street varies in widths from 5m to approx. 5.5m in places. This should be consistent and a distance of 5.5m due to its proposed nature and use. Should this be less, vehicles larger than domestic cars will have to enter the other side of the road when going around the bends in the road. This is not acceptable from a highways perspective as it is detrimental to highways safety and will also impede other users of the highway.
2. The two shared areas at the bottom of the site are below CCC adoptable standard widths of 7m in total (6m + x2 0.5m maintenance strips)
3. The parking spaces between plots 50 / 51 is three a breast and would require vehicles to drive on to and reverse over the footway. This is not acceptable for highways safety reasons.

Please ensure any previous highways comments and requested amendments dated 29<sup>th</sup> April 2019 are included in any revised submission.”

### **22 October 2019**

States

“After a review of the submitted dimensioned drawing I have no further objections.

### **Recommended Conditions**

HW2A – prior to first occupation the internal roads and footways will be built to at least binder course

HW22A – No private surface water will be permitted to be discharged on to the adopted highway

HW23A – No development shall commence until details of the proposed arrangements for the future management and maintenance of the internal estate roads has been submitted and approved by the LPA”

### **Historic England – 11 April 2019**

It does not seek to offer any comments, but recommends specialist conservation and archaeological input.

### **9 September 2019**

“we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.”

### **Cambridgeshire Archaeology – 23 April 2019**

Archaeological works covered by condition 7 to outline permission 18/00363/OUM and this cannot yet be discharged.

### **10 October 2019**

“This site has previously been subject to an archaeological evaluation carried out against Condition 7 (Archaeology) attached to outline permission 18/00363/OUM. This evaluation identified probable field boundaries of late medieval or post medieval date, settlement-related activity of medieval date, a concentration of Iron-Age activity and a circular feature which, although undated at present, may be the ploughed-out remains of a small Bronze Age funerary monument (barrow). The Iron Age, medieval and circular features have been identified for a further phase of targeted investigation (excavation) in mitigation of the development impacts. A brief for the recommended works was requested by the applicant and issued by this office on 17/09/2018, however to date there is no approved Written Scheme of Investigation (WSI) in place for the works and the on-site programme has not been implemented. The archaeological condition should therefore remain in place until the excavation has been completed and if this application for Reserved Matters is intended to supersede then the condition should be carried over in order to secure the archaeological interest of this site.”

### **Natural England - 18 April 2019**

Natural England has no comments to make on this application and has not assessed this application for impacts on protected species.

It does confirm there will be no significant impact upon statutory designated nature conservation sites or landscapes.

### **9 September 2019**

States: “Natural England has no comments to make on this application.”

### **Environmental Health Officer – 5 April 2019**

Notes that the site is already covered by a CEMP and notes that previous comments has suggested that internal noise levels could be met.

Seeks a ground piling condition.

### **24 September 2019**

Seeks an updated Noise Impact Assessment.

### **16 October 2019**

“The development is expected to meet acceptable internal sound levels across the whole site during the night with openable windows.

During the day, properties facing Fordham Road are expected to see external sound levels of between 60-65dB at the façade, this means that expected internal levels with a partially open window will be between 45-50dB. The target level is 35dB if the rooms on this side of the dwelling are bedrooms or living rooms. It may be possible, with sensible room placement (not placing any sensitive rooms on this eastern façade adjacent to the red in Figures 4 and 6) and by relaxing the target levels by 5dB (if you find the development is necessary and desirable) that acceptable levels could be met. The façade on the western side of these properties have predicted internal sound levels of 40-45dB. If you do choose to relax the target sound levels then the internal target then becomes 40dB. Placing the sensitive rooms on this western side of the dwellings are predicted to experience an internal sound level between 40-45dB.”

### **Waste Strategy (ECDC) - 23 April 2019**

Seeks bin collection points to be moved adjacent to the public highway. It should also be the preference of placing all collection points next to the public highway and not rely on maximum guidance distances.

### **Housing Section – 13 May 2019**

States that the site does not comply with the S106 and needs to be 77% rented and 23% shared ownership.

Provides the needed housing mix.

### **20 May 2019**

States that Bloor Homes are able to meet a 77/23% split; also provides a revised housing mix.

### **9 September 2019**

“The Strategic Housing Team has no further comments to make regarding the re-consultation of the above Reserved Matter application.



The affordable housing mix, type and tenure all meet the housing need requirements for Isleham.”

**Environment Agency – 24 April 2019**

No comments to add to their comments on the outline consent.

**Lead Local Flood Authority – 25 April 2019**

Is unable to support the application regarding the drainage layout.

**13 September 2019**

States: “At present, we are unable to remove our objection to this reserved matters application. As stated within our previous consultation response dated 25 April 2019 (ref: 201103800) we require calculations for the entire proposed drainage network. This information is necessary to demonstrate that the proposed infiltration basins and drainage network are appropriately designed for the 100% (1 in 1), 3.3% (1 in 30) and 1% (1 in 100) Annual Exceedance Probability (AEP) storm events, including a 40% allowance for climate change and 10% for urban creep. The LLFA is supportive of the use of swales and infiltration basins over the proposed development. The swales are a good use of open conveyance as they slow the flow down and allow a stage of treatment to the surface water before entering the infiltration basins. It would be good to see some source control on the development through the use of SuDS feature such as permeable paving, green roofs or bioretention systems like tree pits and rain gardens.”

**18 October 2019**

States:

“we can **remove our objection** to the reserved matters application. The above documents demonstrate that the site can be drained through the use of permeable paving on private shared access, which connects to the wider drainage network. For the rest of the impermeable area, there will be unlined conveyance swales transporting surface water into infiltration basins, which provides adequate treatment and attenuation volume for the 100 year including 40% climate change storm event.”

**Middle Fen and Mere Internal Drainage Board – 11 April 2019**

Has no objection but would like to be reconsulted if there are any changes to drainage.

**Anglian Water Services Ltd - 26 September 2019**

**States:**

**Section 2 - Wastewater Treatment**

The foul drainage from this development is in the catchment of Isleham Water Recycling Centre that will have available capacity for these flows

**Section 3 - Used Water Network**

We have reviewed the applicant's submitted foul drainage strategy documentation and consider that the impact on the public foul sewerage network has not been adequately addressed at this stage. Anglian Water have found that this proposal may result in a increased risk of flooding in the downstream network. We request that we are consulted on any forthcoming application to discharge Condition 10 of the outline planning

application 18/00363/OUM, to which this Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.

#### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

We have reviewed the applicant's submitted surface water drainage information and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.”

#### **8 October 2019**

Repeats comments from the 26 September 2019.

Then sent an additional consultation response and stated:

“I confirm that if the application came in now we would not have recommended a drainage condition as the responsibility for any down-stream mitigation is the responsibility of Anglian Water to manage. As the proposed connecting manhole will be receiving gravity flows rather than pumped flows as initially considered, these flows can be better managed and addressed.

Therefore I would suggest that you submit a Discharge of Condition request to the Council and when we receive this we will in turn recommend that this condition be discharged. We will then monitor the network as the flows begin to be received and we will manage the system as appropriate.”

#### **Design Out Crime Officers - 16 April 2019**

States the proposal will provide high levels of natural surveillance and concludes that they are happy to support the proposed design/layout. They do recommend that the developer should use CCTV during construction phases.

#### **6 September 2019**

No additional comments and their previous comments remain valid.

**Defence Infrastructure Organisation Safeguarding – 21 May 2019**

Raises concerns that if the SuDS have permanent water it will attract birds that could lead to bird strikes.

**20 September 2019**

“Aerodrome height

The MOD confirms we have no safeguarding concerns with the proposed heights for the development

Birdstrike

The SUDS scheme for the proposed development features two attenuation basins and swales. The MOD was originally consulted on this development earlier this year. We had no concerns regarding the SUDS scheme but requested the drain down times for the SUDS basins.

The applicant has now provided the drain down times and after review of the details, I can confirm the drain down times address our former concerns.

Therefore, the MOD have no objections to the proposed development.”

**East Cambridgeshire Access Group - 17 April 2019**

Is concerned that cars will cause obstructions by being on pavements.

**ECDC Trees Team - 24 April 2019**

States that the submitted design has generous open space and a good soft landscape design. The tree protection and landscape plans will need to be conditioned.

**18 October 2019**

States:

“The supplied Arboricultural Implication Assessment and Arboricultural Method Statement is acceptable and its compliance can be conditioned. The Supplied soft landscaping scheme is also acceptable.”

**Ward Councillors -**

No Comments Received

**Conservation Officer -**

No Comments Received

**Parks and Open Space -**

No Comments Received

**NHS England -**

No Comments Received

**CCC Growth & Development -**  
No Comments Received

**Cambridgeshire Fire and Rescue Service -**  
No Comments Received

5.2 157 neighbouring properties were notified and the responses received are summarised below. A site notice was displayed near the site on 13 May 2019 and a press advert was published in the Cambridge Evening News on 11 April 2019. A full copy of the responses are available on the Council's website.

18 Aves Close – 8 April 2019

Objects that Councillors can ignore public consultation in order to approve development.

24 April 2019

Site is outside of the village framework.

4 July 2019

States that the developer is putting up newt fencing before planning permission is granted. Asks why opinions are requested when a decision is already made.

5 September 2019

Requests that the previous 100s of objection letters should be referred to.

15 October 2019

Remains objecting to this proposal as it will ruin the village and only small affordable schemes aimed at young people are required.

2 Fordham Road – 18 September 2019

Objects on the basis of:

- Detrimental impact on infrastructure and services.
- The housing proposed is mainly for the Cambridge market and partially the London market; not for local people.

5 Fordham Road – 16 September 2019

Objects to this proposal on the grounds of:

- Impact on highway network/highway safety.
- Entrance is opposite their property.
- Disturbance to them from construction work and beyond.
- They will face more pollution due to the closeness of the development.

- Infrastructure/services within the village will not be able to support this development.
- Development not in style with the character of the village, their house is Edwardian in style.
- Impact upon biodiversity.
- Preliminary works on site already having a negative impact on their amenity and highway safety.

5A Fordham Road – 6 April 2019

Objects on the location of the access that will cause harm to their residential amenity.

67 West Street – 18 April 2019

The resident seeks clarification on the land labelled “reserved for private land” and would like to be reconsulted once this is clarified.

Seeks more bungalows as part of the proposal.

15 September 2019

Seeks amendments:

- More bungalows and distributed along the boundary of West Street.
- Place more of the public open space along the northern boundary.
- Limit the windows facing West Street.
- There should be a 5m buffer between garden and the paddock to the north.

5 St Andrews Close – 24 April 2019

Objects to the proposal on the grounds of:

- Highway safety and traffic movements.
- Primary School is over subscribed.
- No bus service when people require it.
- Lack of public open space within the village.

3 The Briars – 29 April 2019

Objects on the grounds of:

- That previous consultation has not been listened to.
- Character of the village.
- Impact on village services.
- Highway safety.
- Quality of architectural design of the proposal.
- Impact on biodiversity.

3 May 2019

Objects on the grounds of:

- Ignored public consultation.
- Lack of infrastructure.
- School capacity reached.

- Road capacity.
- Impact on biodiversity.
- Quality of architectural design of the proposal.

12 September 2019

Remains objecting to the proposal on:

- Development does not meet original guidance of a small cluster development.
- The existing open space is important to the character of the area.
- Existing traffic problems and the additional harm the development will bring.
- Lack of services within the village.
- Infrastructure is at capacity.
- Impact on biodiversity.

16 September 2019

Objects on the grounds of:

- Highway capacity.
- Lack of employment within the village.
- Stress of water supply/sewerage.
- Lack of services/infrastructure within village.
- Impacts of Mildenhall Airbase closing down.
- Will there be sufficient parking.
- Change in character from open space to dwellings.
- New homes will not be in character with the village.
- Increase in noise pollution.
- Why was there not a copy of the new local plan delivered to each resident?
- New dwellings will overshadow current properties.
- Will self build plots be single storey?
- Bungalows were to be built next to Hall Barn Road.
- Loss of view.
- Impact on biodiversity.
- What is the impact on The Beeches.

33 Woodpecker – 19 May 2019

Objects to this proposal as it does not provide suitable pedestrian accessibility to the wider Isleham area, which will promote greater use of private vehicles. Seeks a footpath/cycle link between Isleham and Fordham.

Proposal does not provide enough secure cycle storage.

21 October 2019

States:

“The housing layout remains unfit for residential living. It must be completely revised to provide a wide barrier to the Industrial Units on Hall Barn Lane.”

Also maintains the comments regarding footpath links.

Units 9-10 Hall Barn Road – 5 September 2019

Makes it clear that the work makes noise and they bought the site due to distance from residential properties.

Units 16/17 Hall Barn Road – 9 September 2019

States they have invested in this location and require the use of noisy machinery.

29a/29b/29c and 33 Hall Barn Road – 11 September 2019

Objects on the following grounds:

- Plots 116/11 so close to the property of 29B Hall Barn Road.
- Proposed bungalows should be placed near existing bungalows.
- Plots 116/117 will overlook 29A/B and C.
- Plots 116/117 will cause loss of light and be overbearing due to its closeness.
- Seeks bungalows behind their dwellings.
- With land level changes Plots 116-125 will look like townhouses/flats from West Street.
- Trees cannot be relied on to screen development.
- What safeguard is there to ensure the 5m boundary will be placed and remain.
- 29C Hall Barn Road was only allowed to build a bungalow to reflect the character of the local area.
- The gable end of a 2 storey dwelling will be an eyesore.

35B Hall Barn Road – 16 September 2019

Objects on the grounds of:

- Proposal will stop this being a village.
- There should be bungalows along the edge of Hall Barn Road.
- Garages should remain as parking spaces in perpetuity.
- 29C Hall Barn Road was only allowed to build a bungalow.
- Will the buffer zone be secure or will it allow for easier access to the rear of their properties?
- Lack of services within the village.
- Current infrastructure struggles to cope, e.g water/sewerage
- Impact on road network.
- Loss of biodiversity.

24 October 2019

Raises concerns in the regards to:

- Noise assessment does not take into account airplanes.
- Archaeological investigation is still required.
- Harm to their residential amenity
- Garages should not be converted.
- Security of buffer zone.
- Location of visitor parking.
- Water/Sewerage capacity.

- Power capacity.

### 37 Hall Barn Road – 19 September 2019

Objects to the proposal on the grounds of the detrimental impact it will have on local infrastructure and services. Infrastructure should be provided before the homes.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU1	Housing mix
HOU2	Housing density
HOU3	Affordable housing
ENV1	Landscape and settlement character
ENV2	Design
ENV4	Energy and water efficiency and renewable energy in construction
ENV7	Biodiversity and geology
ENV8	Flood risk
ENV9	Pollution
ENV14	Sites of archaeological interest
COM7	Transport impact
COM8	Parking provision

### 6.2 Supplementary Planning Documents

Design Guide SPD  
Flood and Water SPD

### 6.3 National Planning Policy Framework 2019

Chapter 2	Achieving sustainable development
Chapter 4	Decision making
Chapter 5	Delivering sufficient supply of homes
Chapter 8	Promoting healthy and safe communities
Chapter 9	Promoting sustainable transport
Chapter 10	Supporting high quality communication
Chapter 14	Meeting the challenge of climate change, flooding and coastal change
Chapter 15	Conserving and enhancing the natural environment
Chapter 16	Conserving and enhancing the historic environment

### 6.4 Planning Practice Guidance

## 7.0 PLANNING COMMENTS



- 7.1 The main considerations are:
- Principle of Development
  - Residential Amenity
  - Visual Amenity
  - Highways and Parking provision
  - Ecology
  - Flood Risk and Drainage
- 7.2 Principle of Development
- 7.3 The principle of the development, the access onto the public highway and the impact upon local services/facilities/infrastructure was assessed at the outline stage (18/00363/OUM) and subsequently approved. This application is only dealing with the appearance, layout, scale and landscaping.
- 7.4 The Submitted Local Plan 2017 referred to in the outline consent has now been withdrawn and now has no weight in the determination of this application.
- 7.5 While the principle of the development is not in question at this reserved matters stage it should be noted that the Council still cannot demonstrate a continuous five year land supply.
- 7.6 The proposal has been shown to be coming in three main phases. The first, this application, covers the majority of the site, the second could be the individual submissions of reserved matters for the self-build units and the third is for the early years facility.
- 7.7 Residential Amenity
- 7.8 The developer has provided the required 5m buffer zone as defined by the outline application along the western and northern boundary. This has led to a separation distance from the rear walls of proposed plots 102 – 111 to the boundary line of existing properties of Hall Barn Road of approximately 15 metres, which is 5 metres in excess of the minimum guidance in the Design Guide SPD. It is also noted that bungalows are placed along the rear of the existing properties of The Briars; the distance of these proposed bungalows away from the dwellings on The Briars will stop the existing dwellings overlooking future residents and protect residential amenity.
- 7.9 Between the western edge of the site and the side wall of plot 116 (which has no side windows) there is a distance of 6 metres. The closest existing dwelling to this plot is 29b Hall Barn Road that directly faces towards the garden space of plot 116 and is located in total 17 metres away from the edge of the side wall of plot 116; it must be noted that the Design Guide only recommends 20m between rear inter-visible windows to prevent overlooking. The existing dwellings 35a and 35b Hall Barn Road are located over 28 metres away from the indicatively shown self-build plots. With the distances involved and well as the orientation of plots 116/117 there is not considered to be any detrimental harm to the residential amenity of the existing dwellings on the northwest edge of the site. The self-build plots will be duly fully assessed when these reserved matters are submitted.

- 7.10 The distance between the rear walls of plots 116 – 121 to the north of the edge of the site is approximately 13m, which reduces to 7 metres for plots 122-125. The land to the north of plots 116 – 125 appears to be paddock land and therefore its residential amenity does not need to be protected.
- 7.11 On the majority of the proposed dwellings the back to back distances exceed the minimum back to back distances set out in the Design Guide SPD; a small minority of the properties (for example plot 51 to 43/44) are just under the Design Guide SPD standard with a back to back distance of 19 metres. However, this is just a guide and on balance the layout is considered acceptable.
- 7.12 The approved development (18/01482/OUT) to the southwest of the site will slightly be overlooked by proposed plots 24 and 25. However, without this adjacent development seeking reserved matters it is difficult to assess the level of harm. Using the adjacent site's indicative layout the harm is considered to be minor-moderate loss of privacy to one plot's garden; but the adjacent site's indicative layout could be relatively easily amended to change layout/scale to prevent any noticeable harm. If a reserved matters application is received this will be taken into consideration as part of this assessment.
- 7.13 The outline application required a minimum amount of bungalows to be provided but placed no requirement that all proposed dwellings that are near existing residents must be single storey. The outline approval sought to provide additional protection to existing residents via the 5m buffer zone. A line of requiring only bungalows along Hall Barn Road and West Street would be unreasonable, as the developer has demonstrated a layout to prevent detrimental harm from two storey buildings.
- 7.14 The proposed dwellings have a range of garden sizes, but the vast majority of gardens have been designed to exceed the guidance in the Design Guide SPD.
- 7.15 The developer's Technical Noise Assessment revision 3 (30/09/19) shows that the level of external noise nearest the industrial units on Hall Barn Road will be below 50dB (which is below normal conversation levels). The Environmental Health Officer has raised no concerns over the impact to/from the businesses on Hall Barn Road. Concern has been raised that during the daytime Fordham Road is relatively noisy (external noise level of 60-65 dB) to the nearest properties, which is typical noise levels of a busy street or vacuum cleaner. However, with the road noise at night time much lower (external noise level of 45-50dB) it will not prevent people from sleeping with a partially open window as stated within the Technical Noise Assessment (30/09/19). While the daytime road noise is of some concern, as it might prevent people from working from home this is not considered a substantive reason to refuse the planning application, specifically when this road while busy is a standard residential 30mph road.
- 7.16 Aircraft noise was duly considered in the outline consent and is not a matter for this reserved matters application.
- 7.17 It is considered that residential amenity has been carefully thought through and complies with the requirements of ENV2 and ENV9 of the Adopted Local Plan.

- 7.18 Visual Amenity
- 7.19 Condition 13 on the outline consent provided design principles for future reserved matters that included:
- Public open space along the eastern boundary.
  - Strengthen landscape along western and northern boundary.
  - 5m wide buffer zone along western and northern boundary.
  - Up to 2 storey along western and northern boundary.
  - Up to 2.5 storey through the centre of the development.
- 7.20 This reserved matters application is in line with these design principles.
- 7.21 The existing surrounding area has a range of architectural styles; Fordham Road early 1900s, The Briars typical large scale modern homes with some architectural details, Hall Barn Road having a large proportion of bungalows and Aves Close a 1970s/80s style development with no specific character. There is also a range of building heights within the local area, though primarily single and two storey with a very limited number of two and a half storey properties within the wider village.
- 7.22 The proposal is primarily two storey, with some single storey properties and two and a half storey properties. The style of the development is inspired by the first half of the 1900s and is fairly architecturally safe that will neither detract nor specifically add to the character of an area in the terms of architectural style; this meeting the requirement of policy ENV2 to preserve the character of an area.
- 7.23 The change from an open field to a mix of residential and public open spaces has already been agreed in principle at the outline stage.
- 7.24 The developer has amended its house type designs to provide more architectural details, primarily to provide additional chimney features to create a more traditional roof scape and provided some 'tax' windows to break up large areas of brickwork.
- 7.25 The layout is considered to have been carefully thought through to ensure that there are principle elevations always facing roads/public open space and that shared driveways are overlooked.
- 7.26 The proposed materials are considered to provide a good variety on the site and have been deemed to be acceptable.
- 7.27 The proposed landscape is considered to be of a good quality, which includes a line of field maples and native hedge along Fordham Road to provide an attractive vista into the village.
- 7.28 The design is considered to be acceptable and meets with the requirements of ENV1 and ENV2 of the Adopted Local Plan.
- 7.29 Historic Environment

- 7.30 The proposed reserved matters due to its design and layout is considered to have a neutral impact to the built heritage of Isleham. On this basis is considered to comply with ENV11 and ENV 12 of the Adopted Local Plan.
- 7.31 Archaeology remains controlled within the outline consent.
- 7.32 Highways and parking provision
- 7.33 The developer has already gained approval at the outline stage for two access points onto Fordham Road, with one of these being for emergency access only, for up to 125 dwellings. The submitted plans at both the outline and reserved matters stage show a footpath running along the site boundary with Fordham Road.
- 7.34 The developer has provided amended details (drawing number P18-1261-18, amended 4 October 2019) to demonstrate that the highway widths meet with the requirements set out by the Local Highways Authority to ensure the roads are designed to adoptable standards.
- 7.35 The developer has also provided details of the emergency access to comply with the requirements of condition 21 on the outline consent.
- 7.36 The final comments from Local Highways Authority are agreed with in that the proposal will have no detrimental impact upon the highway safety within the site or onto Fordham Road. The conditions requested by the Local Highways Authority are contained within the outline consent.
- 7.37 The developer is providing 36% of its units with tandem parking and 64% of its units with non tandem parking spaces. With 254 parking spaces provided (not including the 50 garage spaces) there is 2.1 parking spaces per dwelling which meets the requirements of Policy COM8 and 3.9 visitor spaces per four dwellings, which is just under the requirement of one space per 4 dwellings sought by Policy COM8. However, it is noted that the developer has sought to provide as much visitor parking as possible while seeking to ensure the roads remain adoptable; County Council will not adopt roads with visitor spaces unless they serve a wider public function for instance public open space or education.
- 7.38 With the developer not relying on garage spaces to meet the requirements of Policy COM8 in the Adopted Local Plan, it would be unreasonable to remove permitted development rights to these properties.
- 7.39 The proposal is considered to comply with policies COM7 and 8 of the Adopted Local Plan.
- 7.40 Ecology
- 7.41 Condition 16 in the outline application required each reserved matters to provide suitable biodiversity improvements in line with the submitted ecology reports.
- 7.42 Notwithstanding the additional planting and SuDS details the developer is proposing, they are also providing a range of bird and bat boxes, as well as providing invertebrate boxes.

- 7.43 The 5m landscape buffer will also provide a biodiversity haven 'green corridor' due to the separation away from humans. It is also noted there is 'green corridor' that goes along the eastern edge of the site.
- 7.44 The level of biodiversity improvements is considered to be acceptable in regards to policy ENV7 of the Adopted Local Plan, as well as the requirements of the outline condition. A condition is recommended to ensure the proposed biodiversity measures are brought forward in a timely manner.
- 7.45 Flood Risk and Drainage
- 7.46 The developer has submitted a range of details as part of this application in regards to drainage, which are supported by the Lead Local Flood Authority. However, this is covered by a pre-commencement condition (condition 4) on the outline consent (18/00363/OUM) that will require a later discharge of condition once the layout is approved. There is no reason to expect that this condition, could not be discharged with this layout.
- 7.47 Foul water drainage is covered by the outline condition.
- 7.48 Renewable Energy
- 7.49 Condition 15 in the outline consent requires each reserved matters to demonstrate how it will comply with the requirement to provide a 19% improvement over building regulations in regards to renewable energy
- 7.50 The developer has provided the required Energy Statement and is seeking to provide solar panels as part of its renewable energy/efficiency of its proposal. However, there is no detail on which plots/elevations these solar panels will be included on. This can be overcome by a condition to ensure the solar panels are brought forward to ensure the proposal meets with the requirements of the outline consent and policy ENV4 of the Adopted Local Plan.
- 7.51 Housing Mix
- 7.52 The developer is providing the required 30% affordable housing (defined within the S106) and is a 77/23 mix between shared ownership/rented. The Housing Officer considers this mix to be acceptable in their latest comments and this view is agreed with.
- 7.53 The proposed overall affordable housing mix is:
- 12 one bedroom affordable dwellings
  - 12 two bedroom affordable dwellings
  - 4 three bedroom affordable dwellings
  - 1 four bedroom affordable dwelling
- 7.54 In regards to market properties there is:
- 14 two bedroom dwellings

- 7 three bedroom bungalows
  - 25 three bedroom dwellings
  - 37 four bedroom dwellings (with 6 of these being two a half storey properties)
- 7.55 The proposal provides a good mix of 1 to 4 bedroom properties, as well as providing the minimum amount of bungalows required by the outline consent. While it is noted that the developer is providing a top heavy (four bedroom) amount of market homes this remains in line with general principles of HOU1 and it is also positive to see a good provision of single bedroom units even if these are all to be affordable rent properties. The overall housing mix is considered to be acceptable and will provide for a wide range of people/families and has a good social mix.
- 7.56 The proposal complies with the requirement of HOU1 of the adopted Local Plan that generally seeks a mix of one to five bedroom properties, with the largest individual proportion being four bedroom dwellings.
- 7.57 Other Matters
- 7.58 The adoption/management of public open space, affordable housing provision, method of construction, road calming and impacts on services/infrastructure where covered in the outline application/S106 Agreement.
- 7.59 This reserved matters demonstrates that 1 hectare of land is being provided for sports and recreation and that meets the requirements of the S106; it is also this part of the legal agreement that ensures that there are no overhead powerlines over this space. The proposal also adds 1.59 hectares of public open space, which is in excess of what is required by the S106. Finally the developer has provided the required LEAP, which is located adjacent to the existing recreation grounds of The Beeches.
- 7.60 Planning Balance
- 7.61 The application has been amended several times in order to overcome concerns raised during the application process.
- 7.62 The proposal has now been designed taking into account the constraints of the site, the requirements of the outline permission (including S106) and the requirements of statutory bodies.
- 7.63 The design and layout has been considered acceptable to the Case Officer and is in general accordance with the Council's Design Guide SPD.
- 7.64 The proposal is considered to be acceptable, subject to the recommended conditions.
- 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:

- No statutory objections to this proposal.
- Outline consent has already been granted.

## 9.0 APPENDICES

9.1 Appendix 1 -Recommended conditions

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<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
19/00447/RMM	Andrew Phillips Room No. 011 The Grange	Andrew Phillips Planning Team Leader
18/00363/OUM	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 - 19/00447/RMM Conditions

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

Plan Reference	Version No	Date Received
EA129-LS-003	D	4th October 2019
P18-1261-01-02	ZJ	4th October 2019
P18-1261-03	i	4th October 2019
P18-1261-04	H	23rd October 2019
P18-1261-05	i	4th October 2019
P18-1261-11	L	4th October 2019
P18-1261-12	E	4th October 2019
P18-1261-18		4th October 2019
Bat and Bird box V7	V7	4th October 2019
P18-1007_09G House Type Pack		4th October 2019
Biodiversity compenstion and enhancement plan	V5	4th October 2019
EA129-EN-015	C	4th October 2019
EA129-EN100	E	4th October 2019
EA129-EN-101	E	4th October 2019
EA129-LS-001	E	4th October 2019
EA129-LS-002	D	4th October 2019
EA129-LS-004	E	4th October 2019
EA129-LS-006	F	4th October 2019
EA129-LS-007	C	4th October 2019
P18-2261_02	B	25th March 2019
EA129-EN-201	D	22nd August 2019
EA129-EN-200	C	22nd August 2019
EA129-LS-005	C	4th October 2019
P18-1261_06	B	25th March 2019

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 3 The boundary treatments hereby permitted shall be constructed in accordance with the details specified on drawing numbers P18-1261\_03 Rev i and P18-1261\_06 Rev B. The boundary treatments shall be in situ and completed prior to the first occupation of the associated dwelling on the site. All works shall be carried out in accordance with the approved details and retained thereafter.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.



- 4 The materials to be used in the construction of the external surfaces shall be as specified on P18-1261\_11 Rev L. All works shall be carried out in accordance with the approved details.
- 4 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 The first floor windows shown on the approved plans as glazed using obscured glass shall be permanently retained in that condition thereafter.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 The landscaping and play equipment as defined on drawings P18-1261\_12, EA129-LS-001 Rev E, EA129-LS-002 Rev D, EA129-LS003 Rev D, EA129-LS-004 Rev E, EA129-LS-005 Rev C, EA129-LS-006 Rev F and EA129-LS-007 Rev C shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) 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.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to above ground construction work a scheme, including timeframe, for the provision of solar panels in accordance with Energy Strategy Statement July 2019 Version 5 shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the approved details and thereafter retained and maintained in perpetuity.
- 7 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 8 The biodiversity measures hereby permitted shall be provided in accordance with the details specified on drawing numbers Bird and Bat Box Plan V7 and Biodiversity Compensation and Enhancement Plan V5. The biodiversity improvements shall be in situ and completed within a timeframe agreed, in writing prior to first occupation, with the Local Planning Authority. All works shall be carried out in accordance with the approved details and retained thereafter.
- 8 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 9 The footpath improvements along Fordham Road as defined within drawings EA129-EN-200 Rev C and EA129-EN-201 Rev D shall be completed in accordance with a timeframe agreed in writing prior to first occupation with the Local Planning Authority. Development shall commence in accordance with the approved details.

- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.