
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:** 9 December 2019
[U133]

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 This planning application was considered at the 6 November 2019 Planning Committee and was deferred to allow the developer time to alter its layout/design in providing single storey dwellings in the location of Plots 116 and 117 in the northwest corner of the site (appendix 2 includes the November committee report).

With the application coming back before Members within a month and the previous committee report attached, this report will only cover the substantial changes.

- 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.**

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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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 No additional responses were received from the following consultees since the 6 November 2019. All consultation responses are available on the Council's web site.
- 5.2 Neighbours – 157 neighbouring properties were notified on the 18 November 2019 regarding the amendment. A full copy of all responses are available on the Council's website. No additional responses have been received at the date of writing.
- 5.3 Members will be provided with an update with all consultation responses on the day of committee as the consultation end date is the 2 December 2019.

6.0 The Planning Policy Context

6.1 Please refer to Appendix 2

7.0 PLANNING COMMENTS

7.1 This section of the report will only deal with the main changes since November 2019 Planning Committee.

7.2 Plots 116 and 117 were the two storey dwellings that members raised concerns about in relation to impact on residential amenity and led to the application being deferred. These two properties have been amended to single storey bungalows (now plots 118 and 119). A bungalow (Plot 111) has also been added to the rear of Number 2 The Briars. Figure 1 below shows the changes:

7.3 Figure 1



7.4 The addition of three bungalows along the western edge has led to the loss of a more evenly spread of bungalows across the site as the overall number of bungalows proposed remains the same; though the harm to the overall quality of urban design is very minimal.

7.5 The proposal will lead to the requested improvement to residents of 29b Hall Barn Road, due to the two storey dwellings being replaced by single storey properties, and will not create any new residential concerns elsewhere.

7.6 The proposal still complies with policy ENV2 of the Adopted Local Plan.

7.7 The remainder of the changes are to accommodate the new layout and are considered extremely unlikely to lead to new concerns that are material to the determination of a planning application. However, if any consultation responses are

received these will be assessed and may affect this professional view but members will be updated at Planning Committee if necessary.

7.8 Planning Balance

7.9 The proposal remains acceptable at the time of writing as outlined in this report and the committee report attached at appendix 2, 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:

- The developer has made the changes requested by Planning Committee

9.0 APPENDICES

9.1 Appendix 1 – Recommended Conditions

9.2 Appendix 2 – Previous Committee report (6 November 2019)

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

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-007	D	20th November 2019
EA129-EN-101	F	18th November 2019
P18-1007_09	H	18th November 2019
P18-1261-11	M	18th November 2019
P18-1261-12	F	18th November 2019
P18-1261-18	A	18th November 2019
Biodiversity Compensation and Enhancement Plan	V6	18th November 2019
Bird and Bat Box	V8	18th November 2019
EA129-LS-001	F	18th November 2019
EA129-LS-002	E	18th November 2019
EA129-LS-003	E	18th November 2019
EA129-LS-004	F	18th November 2019
EA129-LS-005	D	18th November 2019
EA129-LS-006	G	18th November 2019
P18-1261-17	B	18th November 2019
EA129-EN-100	F	18th November 2019
P18-1261-01-02	ZK	18th November 2019
P18-1261-03	J	18th November 2019
P18-1261-04	J	18th November 2019
P18-1261-05	J	18th November 2019
P18-1007_09G House Type Pack		4th October 2019
EA129-LS-007	C	4th October 2019
EA129-EN-201	D	22nd August 2019
EA129-EN-200	C	22nd August 2019
P18-1261_06	B	25th March 2019
P18-2261_02	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 J 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 M. 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 f, EA129-LS-002 Rev e, EA129-LS003 Rev e, EA129-LS-004 Rev f, EA129-LS-005 Rev d, EA129-LS-006 Rev g and EA129-LS-007 Rev D 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 V8 and Biodiversity Compensation and Enhancement Plan V6. 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.