

**MAIN CASE**

**Reference No:** 17/00627/OUT

**Proposal:** Outline application for single storey dwelling along with associated parking, access, site works and repositioning of garage and parking associated with Plot No. 1

**Site Address:** Plot 2 Site Adjacent To 3 Hall Barn Road Isleham  
Cambridgeshire

**Applicant:** Mr & Mrs Robert Clarke

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

**Parish:** Isleham

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

**Date Received:** 18 April 2017      **Expiry Date:** 10<sup>th</sup> July 2017

[S44]

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1.0 **RECOMMENDATION**

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

1. The form and character of the immediate surroundings largely consists of properties which front the highway. The proposed development by virtue of the access arrangements and positioning of the proposed dwelling does not reflect this pattern, resulting in a contrived form of back land development at odds with the character of the area and pattern of development contrary to Policy ENV1 and ENV2 of the Cambridgeshire Local Plan 2015 and the National Planning Policy Framework. Furthermore, the application ignores the recommendations of the SPD Design Guide which states that backland development will only be supported if a contextual analysis is submitted to show a prevalence of this form of development in the area.

2. By virtue of its location, the proposal is harmful to the setting of the Grade II Listed Building adjacent to this site and is contrary to Policy ENV12 of the Local Plan 2015. Furthermore, NPPF Paragraph 133 states that where substantial harm will be caused to the significance of a designated heritage asset, the proposal must be weighed against any public benefit. The harm caused to the heritage asset outweighs any public benefit arising from the scheme and is therefore contrary to the NPPF.

## 2.0 SUMMARY OF APPLICATION

2.1 Outline planning permission is sought for the construction of a single-storey dwelling with associated parking and site works. The matters to be considered at this stage are access, layout and scale. The application will also seek to reposition the garage and parking belonging to Plot 1 (approved under 17/00255/OUT).

2.2 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

2.3 The application has been called in to Planning Committee by Cllr Derrick Beckett as it is considered that backland development is a subjective issue that would benefit from a wider view.

## 3.0 PLANNING HISTORY

3.1

17/00255/OUT (adjacent site fronting Hall Barn Road)	Outline Application for Single Storey Dwelling along with Associated, Parking, Access & Site Works	Approved	04.04.2017
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## 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located adjacent to the development envelope for Isleham, on the corner of Hall Barn Road and Temple Road. The site is located to the rear of a vacant plot of land which received outline planning permission in April 2017 for a single-storey dwelling. To the north of the site lies agricultural fields, with a farm track running along the northern edge of the site.

4.2 The site is located in close proximity to the Grade-II listed buildings at Isleham Hall. These include the 16<sup>th</sup> Century dwelling and a large barn/warehouse associated with this dwelling.

## 5.0 RESPONSES FROM CONSULTEES

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

**Isleham Parish Council** – Objection on the grounds of overdevelopment and access. It is considered that the access would be extremely close to a 90 degree bend in the road, very close to the access points for the development ISL/H3 as well as to the farm road behind the site, which requires 24hr access.

**Ward Councillors** – Cllr Beckett called the application into Committee as it is considered that backland is a subjective issue.

**Asset Information Definitive Map Team** – No objections, subject to informatives.

**Local Highways Authority** – No objections. It is noted that the existing footway leads to the proposed access. It is assumed that this ends at the start of the access (south side) before becoming part of the junction. The area immediately adjacent to the front of the site running its length is adopted highway.

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

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

**Cambridge Ramblers Association** - No Comments Received

**Conservation Officer** – The construction of a dwelling on this site would not sit well with the built form in the vicinity of the site. The proposal effectively seeks consent for the construction of a house behind the previously approved house to Hall Barn Road and this form of development is not appropriate in this location. The further encroachment of modern housing within the setting of Hall Farm would result in harm being caused to the setting of the listed building.

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

- The site is outside the development envelope and would not be in-fill.
- Major concerns regarding highway safety.
- The farm access is in constant use at all time.
- It is a sharp blind bend
- Loss of light and overshadowing
- Impact on privacy and noise
- Impact on listed building and conservation area.
- Overdevelopment of the site

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
COM7	Transport Impact
COM8	Parking Provision

- 6.2 Supplementary Planning Documents
  - Design Guide
  - Developer Contributions and Planning Obligations
- 6.3 National Planning Policy Framework 2012
  - 7 Requiring good design
  - 8 Promoting healthy communities
  - 12 Conserving and enhancing the historic environment

## **7.0 PLANNING COMMENTS**

7.1 The application seeks outline consent to consider access, layout and scale for a single-storey dwelling to the rear of Plot 1 (approved April 2017 - 17/00255/OUT) on Hall Barn Road. The main issues to consider in the determination of this application are the principle of development; the impacts upon character and appearance of the area; highway safety, impact on the nearby listed building and residential amenity.

### **7.2 Principle of Development**

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

7.2.2 The benefits of this application are considered to be: the provision of one additional residential dwelling built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.

7.2.3 The site is located outside of the established development framework of Isleham, albeit adjacent to the edge of the settlement boundary. The site is to be accessed down a new road which connects to the footpath of Hall Barn Road. The pedestrian footpath running from the site leads to the main facilities and services of Isleham. Based on the distance from the settlement boundary, the footpath provision and the character of the area it is considered that the site is sufficiently well connected to the facilities and services on offer in the settlement and the wider area and that future occupiers would not be overly reliant on a private motor vehicle.

7.2.4 The principle of the proposed dwelling on this site is therefore considered acceptable in line with paragraph 55 of the NPPF, provided its impact on the visual amenity of the area does not cause demonstrable harm. An assessment of the design and its impact on its immediate setting is outlined below.

### **7.3 Visual Amenity**

- 7.3.1 As previously mentioned, the matters of appearance of this proposal will be dealt with as a reserved matter and as such a limited assessment of visual impact in terms of design can be made at this stage.
- 7.3.2 The site is located on the edge of the built form of Hall Barn Road, adjacent to agricultural fields and the nearby Grade-II listed Isleham Hall. The proposal is for a single-storey dwelling and detached single garage, with a turning area and rear garden. The application will relocate the garaging associated with the neighbouring Plot 1 in order to accommodate the 3.7m wide access road running to the rear of the site, serving Plot 2.
- 7.3.3 The proposal, by virtue of its location behind the existing and established built form (granted permission albeit not constructed at the time of writing) is considered to constitute back land development. Policy ENV1 states that development proposals should demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development. Furthermore, Policy ENV2 stresses the importance of efficient use of land which respects the density, urban and village character. The Supplementary Planning Design Guide states that back land development will only be acceptable if supported by a contextual analysis of the locality and that space within the curtilage to construct a dwelling is not sufficient justification for doing so. There must also be sufficient space for an access road and adequate protection against noise and disturbance. Finally, Local Plan policy HOU2 states new dwellings should be judged against an effective use of the land which takes into account the existing character of the locality and settlement.
- 7.3.4 It is considered with regards to this application that it amounts to an unacceptable back land form of development which is out of keeping with the established linear character of development in the vicinity of the site. The properties along this area of Hall Barn Road are highway fronting with lengthy rear gardens and the introduction of a property to the rear of another would be detrimental to the cohesiveness of the settlement character in this area. The housing allocation opposite the site (ISL3) along with the dwellings within the small housing development to the south of this allocation are self-contained entities which bring their own character to the area and do not represent any justification for isolated backland proposals.

### **7.4 Historic Environment**

- 7.4.1 The proposal is located southwest of two Grade-II listed buildings, Isleham Hall and its associated outbuildings dating from the 16<sup>th</sup> Century. The site is located approximately 40m from the listed buildings, although there is no built form between these two sites and the void forms the amenity areas of the listed property.
- 7.4.2 The Conservation Officer considered that the construction of a dwelling on this site would not sit well with the built form in the vicinity of the site. The further encroachment of modern housing within the setting of Isleham Hall and Hall Farm would result in harm being caused to the setting of the listed building.

7.4.3 The NPPF states that where a proposed development impacts upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. It is considered that the impact of this proposal on the Grade II listed buildings is likely to constitute substantial harm to the setting of these listed buildings. The proposal would constitute overdevelopment of a site that does not lend itself to residential development. The demonstrable harm to the setting of Isleham Hall and its outbuildings outweighs that of the minimal public benefit arising from the proposal.

## **7.5 Residential Amenity**

7.5.1 The development site is adjacent to an existing dwelling to the east and south, with the nearby listed building located to the north-east. Under Local Plan policy ENV2 this application should take care to ensure there is no significantly detrimental harm to the residential amenity of the occupier and neighbouring occupiers as a result of the proposal. The Design Guide SPD requires new dwellings to provide a minimum of 50sqm private amenity space. The proposal will provide sufficient space as to comply with this.

7.5.2 The nearest neighbouring dwelling will be located 36m beyond the rear elevation of the proposed dwelling and by virtue of the scale being single-storey there is unlikely to be any overlooking impact resulting from the scheme.

7.5.3 The access road runs 2.8m from the side elevation of the neighbouring dwelling at 3 Hall Barn Road. The road will be partially screened by the existing clunch wall which is being retained. It is considered that the movement of vehicles belonging to the residents of the proposed plot and the previously approved plot will cause harm to the amenity of the resident of Number 3. However, the harm caused, by virtue of the screening wall, the separation distance and the number of expected vehicular movements, is likely to be less than substantial and would not warrant an outright refusal of permission.

7.5.4 It is considered that due to the proposed layout and scale along with the separation between the dwelling and the neighbouring properties, that there will not be a significantly detrimental effect on the residential amenity of any nearby occupiers and future occupiers of the dwelling would enjoy a satisfactory level of amenity.

## **7.6 Highways**

7.6.1 The proposal will be accessed via a driveway running between the recently approved Plot 1 and the neighbouring dwelling at Number 3. The Local Highways Authority have raised no concerns with the scheme, subject to conditions. The proposal is compliant with Local Plan Policy COM7.

7.6.2 A turning area has been incorporated to the front of the dwelling with a single garage and additional outside parking space. The scheme also reconfigures the turning area and parking provision of Plot 1 (17/00255/OUT). The proposal is therefore considered to comply with Policy COM7 in relation to highway safety and COM8 with regards to parking provision.

## 7.7 Other Material Matters

7.7.1 The site is located within Flood Zone 1 and is not therefore at high risk of flooding. Any planning permission granted will be subject to a condition requiring a detailed drainage strategy to be submitted and approved by the Local Planning Authority.

7.7.2 The site was assessed during the site visit as having a minimal biodiversity potential and thus an ecology survey was not requested. The site is currently cleared with minimal evidence of planting, hedgerows, watercourses or ditches. Biodiversity improvements will be secured by condition to ensure a minimal impact on any established biodiversity on the site as a result of the proposal.

## 7.8 Planning Balance

7.8.1 The proposal would provide the following benefits:- the provision of an additional residential dwelling to the District's housing supply which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.

7.8.2 However, it is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused to the cohesiveness of the built character in this area.

7.8.3 It is considered with regards to this application that it amounts to an unacceptable back land form of development which is out of keeping with the established linear character of development in the vicinity of the site.

7.8.4 Furthermore, the erection of a dwelling within this location, which is in close proximity to the Grade-II listed building, Isleham Hall, will lead to substantial harm to the significance of this designated heritage asset, this harm is not outweighed by the public benefits of the proposal.

7.8.5 In conclusion, this proposal is in conflict with Policies ENV1, ENV2 and ENV12 of the East Cambridgeshire Local Plan 2015 and Part 12 of the National Planning Policy Framework.

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### **Background Documents**

### **Location**

### **Contact Officer(s)**

17/00627/OUT

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17/00255/OUT

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>