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**MAIN CASE**

**Reference No:** 18/00824/FUL

**Proposal:** Erect two 4 bedroom bungalows

**Site Address:** Site South Of East Fen Road Isleham Cambridgeshire

**Applicant:** Victoria Stanley Ltd

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

**Parish:** Isleham

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

**Date Received:** 15 June 2018      **Expiry Date:** 12<sup>th</sup> September 2018  
[T86]

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1.0 **RECOMMENDATION**

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

1. The proposed development would extend residential built form further east than the residential built form on the opposite side of East Fen Road and beyond the speed limit change of the public highway which both form a clearly defined edge to the village in this location. The erection of dwellings within this location, which comprises a predominantly open and rural setting on the edge of the village, would create an intrusive urbanising impact upon the surrounding rural landscape, eroding the predominantly rural character of the countryside setting and detrimentally impacting views into and out of the village. The benefits of the proposed development would be outweighed by the significant and demonstrable adverse harm which would be created to the character and appearance to the area, contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, policies LP22 and LP28 of the Submitted Local Plan 2017 and Paragraphs 11, 79, 127 and 170 of the National Planning Policy Framework.

2.0 **SUMMARY OF APPLICATION**

2.1 Full planning permission is being sought for the erection of 2No. detached bungalows and garages. The proposed dwellings would measure 16.1m wide and 13m deep, with a ridge height of 5.1m and an eaves height of 2.6m. The proposed garages would measure 6.4m wide and 7.3m deep, with a ridge height of 4.6m and

an eaves height of 2.6m. The proposed development would be finished with brickwork and cement black timber boards to the walls and pantiles to the roof.

- 2.2 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.3 This application is being taken to Planning Committee, due to the Chairman of the Parish Council and Ward Member having a pecuniary interest in the application.

### 3.0 PLANNING HISTORY

#### 3.1 Off-site history

##### Adjacent to the west boundary of the application site

17/00223/FUL	Development of 2 No. three bedroom bungalows.	Approved	05.05.2017
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17/02020/FUL	Development of 2 No. three bedroom bungalows.	Approved	09.02.2018
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##### Land north of Houghtons Lane, to the south of the application site

17/00222/FUL	Development of 3 No. three bedroom bungalows	Refused	13.06.2017
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17/01247/FUL	Development of 3 No. three bedroom bungalows	Approved	19.09.2017
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18/00819/FUL	Erect two dwellings with attached garages and external works	Pending consideration	
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### 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site is located outside of, but within close proximity to, the established development framework for Isleham. The site is located on the south side of East Fen Road, predominantly surrounded by open agricultural fields to the north, east and south, with extensive residential built form to the west which is within the established development framework. The application site itself comprises part of an open, agricultural field.
- 4.2 There are two-storey semi-detached and terraced dwellings (No's 61-71 East Fen Road) located on the opposite side of East Fen Road, to the north-west of the site. Development has commenced on 2No. single storey bungalows immediately adjacent to the west of the application site, whilst further to the west there is a mix of detached 2-storey, 1.5-storey and single-storey dwellings.

4.3 There is a vehicular access to a field on the opposite side of East Fen Road, directly opposite the site on the north side of East Fen Road. An agricultural building stands alone in the field on the north side of East Fen Road, distanced approximately 45m from the site.

## 5.0 RESPONSES FROM CONSULTEES

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

5.2 Isleham Parish Council –

- If approved, the total number of additional houses created by the proposal in addition to other sites identified within the Council's emerging Local Plan would result in a 64% increase on the current number of houses in the village.
- Outside of Local Plan allocations, the Council has approved 100 dwellings in Isleham within the last 6 years, including over 40 within the last year.
- Despite the ongoing development of an additional site on East Fen Rd (17/00222/FUL), the infrastructure including highways on East Fen road is already above capacity. This road remains little more than a simple agricultural farm roadway, already in a very poor condition, and is therefore not fit for the additional traffic resulting from this proposed development.
- Village infrastructure, utilities and services are inadequate or at capacity.
- This proposed development doesn't protect the amenities and services of the neighbouring properties. The development would overlook new houses to the south and therefore result in a loss of privacy.
- Detrimental affect the biodiversity of this area of the village.
- There has been no previous building on this site and the plot is on open countryside.
- The proposed development does not meet current housing demands. There are sufficient houses within this style and price bracket already for sale within the village.
- This is the second such application in recent months from the landowner. There is clearly an expectation from him to continue to build on the remainder of this land. The piecemeal nature of these applications is clearly a deliberate attempt to avoid building affordable housing.

5.3 Ward Councillors - No Comments Received.

5.4 Local Highways Authority - No objections in principle to this application. Recommend conditions relating to parking and turning and a gates restriction.

5.5 CCC Growth & Development - No Comments Received.

5.6 Environmental Health – Accepts the findings of the Phase1 Desk Study and Preliminary Risk Assessment report dated 1st February 2017 prepared by Geosphere Environmental. The report recommends a limited soils investigation and soil gas testing. Therefore, as this application is for a sensitive end use (residential), Environmental Health recommend that standard contaminated land conditions are attached to any grant of permission.

## 5.7 Waste Strategy (ECDC) –

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

5.8 Cambridgeshire Archaeology – Our records indicate that the site lies in an area of high archaeological potential, situated on the eastern edge of the historic village of Isleham. Recent excavations to the immediate west of and to the south west of the application area (planning references 17/02020/FUL and 17/01247/FUL, CHER ECB5372 and CHER ECB5371 respectively), indicate that the village originally extended further east and would have been larger in the Saxon and Medieval periods than it is today. To the immediate west of the application area, a pair of intercutting ditches and a series of 18th century clunch pits were identified which indicates that by the 18th century the village had started to decrease in size and small scale quarrying was occurring just outside the village boundary. This is significant as it enhances our understanding of the origins of and later shrinkage of the village of Isleham.

Archaeological investigations to the west at Ellwoods Close revealed evidence of significant Saxon, medieval and post-medieval occupation as well as artefact evidence which suggest the location of a high status Roman building in the vicinity (ECB4634). Investigations at Church Lane revealed significant evidence of Prehistoric, Roman, medieval and post-medieval occupation (ECB4610). With archaeological investigations at Priory Gardens (CB15283) and Beck Road revealing further evidence of medieval and post-medieval occupation (MCB18442). In addition, to the north of the application area is Neolithic settlement site (11281).

To the west is the scheduled earthwork remains of fish ponds, hollowed lanes and platforms that were part of the Isleham priory (Scheduled Monument number 27101): an alien Benedictine priory 100m west of St Andrew's Church (Historic Environment Record reference DCB221). One of over 150 Benedictine monasteries founded in England, Benedictine monasticism had its roots in the rule written about AD 530 by St Benedict of Nursia for his own abbey at Monte Cassino but the earliest attempts to develop an order came only in 1216. The only remaining standing priory building at Isleham is the Chapel of St Margaret of Antioch (a Grade I Listed Building) to the north of which lie the buried foundations of the conventional buildings and the earthwork remains of the associated agricultural complex (07528).

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

5.9 Neighbours – A site notice was displayed near the application site on 23.07.2018 and a press advert was published in the Cambridge Evening News on 05.07.2018. 8 neighbouring properties were notified and 1 response was received. The response is summarised below. A full copy of the responses are available on the Council's website.

5.9.1 Comments on behalf of the occupiers of 63 East Fen Road and 71 East Fen Road

East Fen Road is a "rural" road which peters out into unmade road and agricultural fields. The road is narrow in places and is already awash with stationary vehicles because several residents can only park on the road. The road is heavily used by agricultural traffic and vehicles regularly have to be moved to allow such traffic, which nowadays is very large, to pass. East Fen Road simply cannot cope with the congestion which would be caused by the development of further homes.

In addition the field on which the development is proposed has been used for agricultural purposes for many many years. When it was sold recently it was for arable use. It was obviously the intention of the seller that this field continue to be used for agricultural purposes. The history and position of the field, beside other agricultural fields, means that it is best suited for agricultural purposes and it is not appropriate for residential homes. If these sites are converted from arable land to building land it appears to be blatant profiteering. This should not be contemplated by the planning authorities, never mind allowed.

The field is only just about viable for agricultural purposes as it is at the moment, in these days of farmers using large machinery and therefore needing large fields. Two units have recently been approved for building along East Fen Road adjacent to the current plans. This would, in my opinion, make the remaining field no longer viable for agricultural purposes. It is quite obvious that, sooner or later, if these latest plots are approved for building, in addition to the approvals already made, then further applications will be made for the rest of the field. This would completely ruin the nature of the area.

Isleham needs starter homes. I appreciate that development is planned for other parts of the village, but these bungalows would be large homes completely out of

the reach of starters. People who currently live in Isleham and want to stay should be given the opportunity to have homes that they can afford. With regard to the presence of 2 detached 4-bedroom bungalows at the end of East Fen Road, these would be totally out of character with nearby properties. The proposed properties are beyond the “30mph” sign and it is therefore clear that building beyond this limit was never intended. The road, at this point, is also single-track – another indication that no building was intended in this area.

Comments have been made that Isleham is well served by public transport. This is completely incorrect. Isleham is nowhere near to a working train station and, due to by the planning authorities, never mind allowed.

People want to live in the countryside because of the environment. If building work is allowed to take place just about anywhere, particularly on land which for many years has only been used for agricultural purposes, it ceases to be countryside.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

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

### 6.2 Supplementary Planning Documents

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

### 6.3 National Planning Policy Framework 2018

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 11 Making effective use of land
- 12 Achieving well-designed places
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

## 6.4 Submitted Local Plan 2017

LP1A presumption in Favour of Sustainable Development

LP3 The Settlement Hierarchy and the Countryside

LP6 Meeting Local Housing Needs

LP16 Infrastructure to Support Growth

LP17 Creating a Sustainable, Efficient and Resilient Transport Network

LP22 Achieving Design Excellence

LP23 Water Efficiency

LP24 Renewable and Low Carbon Energy Development

LP25 Managing Water Resources and Flood Risk

LP26 Pollution and Land Contamination

LP27 Conserving and Enhancing Heritage Assets

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

LP30 Conserving and Enhancing Biodiversity and Geodiversity

LP31 Development in the Countryside

## 7.0 PLANNING COMMENTS

7.1 The main issues to consider when assessing this application are the principle of development, the character and appearance of the area, residential amenity, highway safety, ecology, archaeology, and flood risk and drainage.

### 7.2 Principle of Development

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

7.2.2 The benefits of this application are considered to be:- the positive contribution of the provision of an additional 2 dwellings to the district's housing stock and the positive contribution to the local and wider economy in the short term through the construction of the new dwellings.

7.2.3 Part Two of the Local Plan 'Village/Town Visions' identifies Isleham as having a wide range of services available locally including several shops; a primary school, three churches; sports facilities and good bus connections to Newmarket. The application site is located outside of, but within close proximity to, the established development framework for Isleham. The application site is located off a 60mph speed limit road, just past the 30mph speed limit sign where the speed limit changes. Although it is located off a 60mph section of road, the road does not provide a through-route and is very lightly trafficked making it safe for pedestrians to access the nearby public footpath on the north side of East Fen Road. The existing

footpath on the north side of East Fen Road is well connected to other footpaths and there are some street lights along East Fen Road. The proposed development would therefore benefit from a safe pedestrian route into the centre of Isleham. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the location of the site is considered to be sustainable.

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

7.2.5 Comments received on behalf of 2 occupiers of nearby residential properties state that starter homes are required in Isleham and the proposed dwellings would be out of reach of starters. However, the application has not been submitted for Starter Homes and there is no policy requirement that requires the proposed development to provide starter homes.

7.3 Character and appearance of the area

7.3.1 Policy ENV1 of the East Cambridgeshire Local Plan 2015 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 and will protect, conserve, and where possible enhance:

- The pattern of distinctive historic and traditional landscape features.
- The settlement edge, space between settlements, and their wider landscape setting.
- Key views into and out of settlements.
- The unspoilt nature and tranquility of the area.

7.3.2 Although planning permission for 2 single-storey bungalows has recently been approved on land adjacent to the west of the application site (planning permission references: 17/00223/FUL and 17/02020/FUL), the impacts of those bungalows upon the character and appearance of the area was considered to be acceptable due to them being located directly opposite existing residential built form and within the village 30mph zone which both form a clearly defined edge to the village in this location.

7.3.3 By contrast, although the proposed bungalows would be of a design which is in keeping with the bungalow approved directly to the west, the proposed development would extend residential built form further east than the residential built form on the opposite side of East Fen Road and beyond the speed limit change of the public highway which both form a clearly defined edge to the village in this location. Further incremental residential development along this road, and particularly in the location of the application site which comprises a predominantly open and rural setting on the edge of the village, would create an intrusive urbanising impact upon the surrounding rural landscape, eroding the predominantly rural character of the countryside setting and detrimentally impacting views into and out of the village.



7.3.4 For the reasons set out above, it is considered that the proposed development would cause significant and demonstrable harm to the character and appearance of the area, particularly the sensitive settlement edge, contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, policies LP22 and LP28 of the Submitted Local Plan 2017 and Paragraphs 11, 79, 127 and 170 of the National Planning Policy Framework.

#### 7.4 Residential Amenity

7.4.1 The application site is located immediately adjacent to the east boundary of a site where planning permission has recently been approved for 2 bungalows (approved under planning permission references: 17/00223/FUL and 17/02020/FUL). The proposed development would be adequately distanced from existing neighbouring dwellings to prevent any significant residential amenity impacts on them. The proposed bungalows and garages would be closer to the dwellings approved to the west which have commenced development, with 1m separation distance between the closest proposed garage and 5m separation distance between the closest proposed dwelling. The proposed bungalows would be single-storey, with modest heights of 5.1m at the ridge and 2.6m at the eaves. The proposed garages would also have modest heights of 4.6 and 2.6m. Due to the modest heights and single-storey nature of the proposed bungalows and garages, in addition to their distances from existing residential properties and approved dwellings on the adjacent site, the proposed development would not create a significant overbearing impact, a significant loss of light or create an unacceptable level of overlooking upon the neighbouring properties.

7.4.2 It is therefore considered that the proposed development could adequately protect the residential amenity of neighbouring properties, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Submitted Local Plan 2017.

7.4.3 The sizes of the plots and amenity space for each proposed dwelling accords with the guidelines of the East Cambridgeshire Design Guide and is adequate to ensure that the future occupiers will enjoy high standards of amenity.

#### 7.5 Highways and parking

7.5.1 The proposed development would create 2 separate new vehicular accesses off the south side of East Fen Road. The proposed vehicular accesses would be located within the 60mph speed limit section of East Fen Road which does not provide a through-route and generates minimal traffic. The Local Highway Authority has no objections to the application, but recommend conditions are appended to any grant of planning permission in relation to the provision of parking and turning, in addition to a gates restriction. The proposed development demonstrates adequate parking could be provided for a minimum of 2 cars per plot, in accordance with the Council's adopted parking standards and without creating tandem parking.

7.5.2 It is therefore considered that the proposed development would not create a detrimental impact in respect of highway safety and would provide adequate parking provision, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and policies LP17 and LP22 of the Submitted Local Plan 2017.

## 7.6 Ecology

7.6.1 The application site does not display characteristics which provide a significant ecological habitat. Conditions could be appended to any grant of planning permission requiring the provision of biodiversity enhancements, in addition to soft landscaping which could provide ecology enhancements.

7.6.2 It is therefore considered that the proposal accords with policy ENV7 of the Local Plan 2015 and policy LP30 of the Submitted Local Plan 2017.

## 7.7 Archaeology

7.7.1 Cambridgeshire County Council Archaeology has recommended that a condition is appended to any grant of planning permission requiring a programme of archaeological work to be undertaken in accordance with a written scheme of investigation to be agreed by the LPA. Due to the site lying within an area of archaeological potential, this is considered to be a reasonable request.

## 7.8 Flood Risk and Drainage

7.8.1 The application site is located within Flood Zone 1 which is defined within Planning Practice Guidance as land with a low probability of flooding. In respect of flood risk, Planning Practice Guidance makes it clear that development is appropriate within Flood Zone 1. In addition, Policies ENV8 of the East Cambridgeshire Local Plan 2015 and policy LP25 of the Submitted Local Plan 2017 state that new development should normally be located in Flood Risk Zone 1.

7.8.2 The proposed dwelling would be located within an appropriate flood zone for development and the Local Planning Authority does not hold any evidence which would suggest the proposed development would be unacceptable in respect of flood risk or drainage issues. The application form states that surface water would be disposed of via soakaways which would provide an acceptable means of surface water drainage. This could be secured by planning condition if Members are minded to approve the application.

7.8.3 It is therefore considered that the proposal would not create any detrimental impacts in respect of flood risk or drainage, in accordance with Policy ENV8 of the East Cambridgeshire Local Plan 2015 and policy LP25 of the Submitted Local Plan 2017.

## 7.9 Other matters

7.9.1 Due to the size of the development, affordable housing provision is not required individually or cumulatively.

## 7.10 Planning Balance

7.10.1 The benefits of the proposal are the provision of 2 additional dwellings to the district's housing stock, in addition to the associated economic benefits from the

construction process and continuing contribution to the local economy by future occupiers.

7.10.2 However, on balance, it is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused by the detrimental urbanising impact that the proposed development would cause to the character and appearance of the surrounding rural landscape. In conclusion, this proposal is in conflict with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, policies LP22 and LP28 of the Submitted Local Plan 2017 and Paragraphs 11, 79, 127 and 170 of the National Planning Policy Framework.

7.10.3 The application is therefore recommended for REFUSAL.

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/00824/FUL	Richard Fitzjohn Room No. 011 The Grange	Richard Fitzjohn Senior Planning Officer
17/02020/FUL 17/00223/FUL	Ely	01353 665555 richard.fitzjohn@ea stcambs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

East Cambridgeshire Local Plan 2015 -

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