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**MAIN CASE**

**Reference No:** 20/00007/OUM

**Proposal:** Residential development for up to 70 dwellings (Class C3) with associated access, infrastructure and public open space

**Site Address:** Land North East Of 100 Beck Road Isleham Cambridgeshire

**Applicant:** Penland Estates

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

**Parish:** Isleham

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

**Date Received:** 3 January 2020      **Expiry Date:** 3 April 2020

[U216]

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1.0 **RECOMMENDATION**

- 1.1 Members are recommended to refuse this application on the following grounds:
1. The proposal for up to 70 dwellings is located outside of the development envelope of Isleham and is not an allocated site, affordable housing exception site and does not meet any of the defined exceptions within policy GROWTH 2; on this basis the proposal fails to comply with policy GROWTH 2 of the Adopted Local Plan 2015 that restricts development outside of the defined development envelopes, having regard to the need to protect the countryside and the setting of towns and villages.
  2. The village of Isleham, while having a reasonable level of services (as described under the Village Vision in the Adopted Local Plan 2015) has seen a significant amount of proposed dwellings being approved over and above the planned level. The proposal, when considered cumulatively with recent approvals would result in an unsustainable amount of residential development, which would outstrip the modest increase in employment and services provision envisaged for Isleham and place significantly increased pressure on local infrastructure. The existing village infrastructure, including the Primary/Early Years school, is running beyond capacity. Until such time as the infrastructure is improved, including the provision of a new site for an expanded Primary/Early Years school, the village is unable to cope with additional speculative development. In addition the lack of employment, retail and public transport opportunities within

the village would result in an unsustainable pattern of development, leading to car dependency and encouraging high levels of out commuting by private vehicle, contrary to policy COM7 of the Adopted Local Plan. The proposal does not comply with policies GROWTH 3, GROWTH5 and COM7 of the Adopted Local Plan 2015 and in addition does not comply with paragraphs 103 and 104 of the NPPF.

## 2.0 SUMMARY OF APPLICATION

- 2.1 The proposal seeks outline consent for up to 70 dwellings, with details of access to be agreed. Details of appearance, landscape, layout and scale are reserved. Based on the illustrative masterplan the net density of the development is 21 dwellings per hectare and 11 dwellings per acre.
- 2.2 The proposal was originally submitted for up to 80 dwellings and was reduced following discussions with the case officer.
- 2.3 Following objections raised by the Lead Local Flood Authority, additional drainage details were submitted on the 31 March 2020 and the Lead Local Flood Authority removed its objection on the 6 April 2020.
- 2.4 Due to the size of the application it has been brought to Planning Committee in line with the requirements of the Council's Constitution.
- 2.5 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 No planning history on site.

The applications listed below are of relevance as they are located in Isleham and were determined by Planning Committee on the 20<sup>th</sup> April 2020.

19/00376/OUM – Up to 110 dwellings off Station Road, Isleham was refused at April 2020 Planning Committee.

19/01777/OUT – 4 dwelling at East Fen Road, Isleham was refused at April 2020 Planning Committee.

It was the view of Planning Committee that Isleham's infrastructure could not cope with any additional dwellings, due to the existing cumulative impact from other approved developments in the parish. Even if contributions and improvements were being offered by the developer, this would not overcome the detrimental harm to the village in the short term.

#### 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located outside of the village framework, though is adjacent to it along the northern boundary of the site. To the north there are the cul-de-sacs of Festival Road and Kennedy Road with bungalows defining the character of these roads.
- 4.2 To the south of the site is the recently constructed 'The Ark' church.
- 4.3 The site itself is part of an open agricultural field that is between Beck Row and Sheldricks Road. While there is some boundary hedgerows around the field, the more significant planting is to the west on a substantially smaller adjacent field.
- 4.4 Beck Row defines the western boundary, while to the east of the site is the remainder of the agricultural field. The site can also be publically viewed from Sheldricks Road to the east.

#### 5.0 RESPONSES FROM CONSULTEES

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

##### **Isleham Parish Council - 4 February 2020**

Objects to the proposal on the following grounds:

- Loss of agricultural land.
- Loss of open and historic views.
- Damage to flora and fauna.
- Further erosion of village character and gateway entrance into the village.
- Detract from the architectural quality of the Ark Church.
- Utilities cannot cope with existing pressure from residents.
- Poor connectivity with other settlements.
- Lack of services and lack of school places.
- Very limited employment opportunities within the village. Work requires people commuting.
- Houses are not selling within Isleham.
- New dwellings should be proportionate to the settlement size.
- Concern over the proposed design and if the application was approved it would seek permitted development rights be removed.

It states:

"We therefore feel the erection of dwellings within this location, which comprises a predominantly open and rural setting, 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 proposed development would create significant and demonstrable harm to the character and appearance to the area and is contrary to Policies ENV1 and ENV2 and paragraphs 14, 17 and 56-68 of the national planning framework."

17 March 2020

It maintains its previous objections to this proposal.

**Local Highways Authority (Transport Assessment Team)- 30 January 2020**

States:

“Holding Objection: Insufficient detail has been presented to make a sound assessment. The below issues related to the Transport Assessment will need to be addressed before the transport implications of the development can be fully assessed.

Pedestrian Network: More detail required.

Distribution: Flow diagrams required.

Mitigation: To be decided

**Conclusion**

The application as submitted does not include sufficient information to properly determine the Highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.”

20 February 2020

States:

“Background

This document reviews the additional information submitted by David Bates from Richard Jackson Engineering Consultants. The additional information is to provide support the proposed development of 80 dwellings.

**Transport Technical Note Review**

It is noted that the closest pedestrian crossing facility is a tactile pedestrian crossing at the village gateway approximately 130 meters away from the site's access, there is an additional crossing located at the schools frontage at the Malting Lane. There is street lighting located on Malting Lane and there are limited street lighting along Beck Road, with no lighting between the site and the closest crossing.

**Traffic Flows**

The traffic flows showing the developments local traffic distribution is acceptable for use. The applicant is not expected to cause a severe impact onto the local highway network with the development proposed to generate 63 two way trips in the AM peak and 62 two way trips in the PM peak.

**Conclusion**

The Highway Authority does not wish to object to the planning application as submitted subject to the following condition:

Within one month of the first occupation of any dwelling, the occupiers of the dwellings shall be provided with a 'New Residents Travel Pack'. The contents of this shall be submitted to and approved in advance by the District Council as the local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information, and bus travel and cycle

Note -

It is noted that the proposed site is located outside of the village envelope where there is no street lighting, a lack of street lighting will not encourage new residents to walk along the footway in the hours of darkness. Therefore the applicant should consider the installation of street lighting, this should be discussed with Geoff Ellwood.”

**Local Highways Authority - 13 March 2020**

States:

“The Highways Authority has no objection in principal to this application.

The proposed new developments junction with the highway is laid out to the HA standards and there is adequate visibility in either direction. The development site also has a suitable footway link to the village and its amenities.

Whilst this is an outline application with access only I would note that the internal road layout is not adoptable in its entirety and would require additional footways and some alterations to the access points and junctions to bring it to HA standards. The HA do not adopt areas of water attenuation, swales, ditches or SUD`s.

**Recommended Conditions**

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

HW11A - the new junction with the highway will be laid out to approved drawing number 60251/PP/001 Rev B and constructed to CCC specifications

HW23A - No development shall commence until the future maintenance and management of the estate roads has been submitted and approved with the LPA”

**Cambridgeshire Archaeology - 24 February 2020**

States:

“The application for this proposed development contains a draft geophysical survey report prepared by Magnitude Surveys and a Heritage Statement prepared by Cotswold Archaeology. Both reports indicate that significant archaeological remains are not visibly present at the site, qualified by the statement that such remains that are not responsive to geophysical survey methods are absent. This corroborates the evidence of the Cambridgeshire Historic Environment Record that shows no Iron Age, Roman or Medieval remains here present. Occupation evidence from these periods are notoriously 'noisy' - very humic and full of material waste of domestic and industrial land uses and, as such, highly magnetic and usually visually explicit in geophysical survey data. Both reports indicate the presence of large barrows - funerary monuments usually Bronze Age in date, comprising circular mounds that were created by mounded material upcast from encircling ditches. Depending on their date (some are Neolithic - earlier), barrows may contain a single or many tens of burials and cremations, the Bronze Age typically having dual funerary practices. 'Flat grave cemeteries' often exist in spaces between barrows and together these form far longer-lived cemeteries and 'burying grounds', much like the cemetery recently excavated at Turners of Soham's lorry and car park extension at Fordham (HER ref ECB3754), where more funerary evidence survived until very recently removed by the Turner's expansion site (18/00579/ESF), south of the Fordham Bypass (A142) on which part of the Bronze Age settlement zone was excavated (ECB2043).”

They go on to explain the importance and potential of archaeology and state they do no object, subject to a pre-commencement archaeological condition and the publication of any findings.

**Cambridgeshire County Council Education - 4 February 2020**

Early Years need: The indicative contribution, based on the general multiplier, would be £20,592 x 9 = £185,328 to be spent on a new school in Isleham and if this cannot be achieved an expansion to St Andrews in Soham.

Primary need: Indicative primary contribution is £20,592 x 32 = £658,944 to be spent on a new school in Isleham and if this cannot be achieved an expansion to St Andrews in Soham.

Secondary need: Indicative secondary contribution = 20 x £23,875 = £477,500 to be spent on Soham Village College.

An indicative contribution of £3000 to be spent on mobile library services.

30 March 2020

Provides justification for education contrition and provides an approximate figure of £1,070,877 needed for educational purposes.

**Technical Officer Access - 22 January 2020**

States:

“Shared surfaces and demarcation needed between the paths and road surface for those with partial sight.

Good lighting required.

We would welcome an opportunity to make comments when more house details are available.”

**Minerals and Waste Development Control Team - 20 January 2020**

States:

“It is noted that the topic of waste management does not appear to have been considered within the documentation provided. In particular, Policy CS28: Waste Minimisation, Re-use, and Resource Recovery of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) has not been addressed. It is therefore requested that in the event the LPA is minded to grant planning permission, that the following condition be imposed:  
Detailed Waste Management and Minimisation Plan”

**Environmental Health - 16 January 2020**

Requests conditions in regards to construction/delivery times, Construction Environmental Management Plan (CEMP) and piling.

**Environmental Health - 24 January 2020**

States:

“Thank you for consulting me on the above proposal. I have read the Phase 1 Site Appraisal report dated November 2019 prepared by BRD and accept the findings. Although the report finds that contamination risks are likely to be low it finds that potential risks exist from made ground contamination and ground gas and recommends that a Phase II investigation is carried out in order to characterise the risks. I recommend that standard contaminated land conditions CM1A and CM4A are attached to any approval due to the proposed sensitive end use (residential).”

#### **Waste Strategy (ECDC) - 3 February 2020**

States:

“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).”

Also provides guidance on layout and provision of bins.

#### **Lead Local Flood Authority – 17 March 2020**

It objects to this proposal as the applicant has not undertaken suitable infiltration testing or a feasible alternative method should be considered.

6 April 2020

States:

“We have reviewed the following document:

- Flood Risk Addendum (ref: E5085/2PD/DCB) prepared by SDD dated 31 March 2020.
- Flood Risk Assessment and Drainage Strategy (ref: C5085-2PD) prepared by SDD dated December 2019

Based on these, as Lead Local Flood Authority (LLFA) we **can remove our objection** to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of a series of infiltration basins across the site. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.”

Requests conditions in regards to SuDS and maintenance.

#### **Environment Agency - 27 January 2020**

States:

“We have no objection to the proposed development but wish to make the following comments:-

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes open gullies should not be used.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

If soakaways are proposed for the disposal of uncontaminated surface water percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Building Control. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Prior to being discharged into the watercourse, surface water sewer or soakaways system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings, should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

#### Water Quality

The latest information obtained from Anglian Water suggests that there is sufficient capacity at Isleham WRC to accommodate the proposed development.

The developer should liaise with Anglian Water to ensure that any work required to upgrade the local sewerage network is completed ahead of occupation of properties.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.”

#### **Anglian Water Services Ltd - 16 January 2020**

States:

“Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

#### WASTEWATER SERVICES

##### 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

This response has been based on the following submitted documents: Flood Risk Assessment / Plan The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.”

Goes on to state that SuDS are the preferred method of drainage and that advice from Lead Local Flood Authority and the Environment Agency should be sought.

**The Ely Group of Internal Drainage Board - 27 January 2020**

States:

“This application for development is outside of the Middle Fen and Mere Internal Drainage District.

The Board have no comment to make from a drainage point of view.”

**ECDC Trees Team - 30 January 2020**

The site is an arable field with no trees within the boundaries only fragments of hedgerows.

There are no arboricultural reasons to refuse this application however details of boundary treatments and landscaping need to be conditioned to ensure enhancement of the environment, character and overall visual buffering of such a development into the landscape.

**Cambridgeshire Fire and Rescue Service - 6 February 2020**

States:

“With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.”

**Housing Section - 6 February 2020**

States:

“The Strategic Housing Team supports the above application in principle, as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 30% affordable housing on site. (Up to 80 dwellings will secure up to 24 affordable dwellings)

Developers will be encouraged to bring forward proposals which will secure the affordable housing tenure as recommended by the most up to date SHMA at 77% rented and 23% intermediate housing.

I note that an indicative Masterplan has been submitted as part of the application along with detail on how the affordable housing mix will be delivered within the Heads of Terms and Design and Access Statement. The assumptions made regarding the affordable housing mix do not meet the current housing needs of Isleham and therefore detailed discussions are recommended with the developer prior to submission of the reserved matters application in order to secure an affordable housing mix that meets the housing needs of the area. As a guide we will be seeking to secure a mix of one to four bedroom homes on site, in accordance with the above tenure requirement.

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Describes Space Standards. Please see link: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524531/160519\\_Nationally\\_Described\\_Space\\_Standard\\_Final\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf)”

Provides guidance on the wording of the S106.

**Conservation Officer - 13 March 2020**

States:

“Given the application site's separation distance from St Andrew's church and the presence of intervening development, there is no requirement to apply Historic England's Good Practice Advice in Planning Note 3 'The Setting of Heritage Assets' methodology.”

**Economic Development - No Comments Received**

**Ambulance Service - No Comments Received**

**NHS England - No Comments Received**

- 5.2 Neighbours – 28 neighbouring properties were notified and the responses received are summarised below. A site notice was put up on the 6 February 2020 and an advert placed in the press on the 23 January 2020 A full copy of the responses are available on the Council's website.

**34 Kennedy Road – 15 March 2020**

Objects on the grounds:

- Village primary school does not have capacity.
- Increase in traffic.
- Amount of housing being approved in the village.
- Housing growth has developed in a linear way along the main roads.
- Loss of agricultural land.

**36 Kennedy Road – 2 February 2020**

Objects to this application on the basis of:

- Outside of the village plan
- Sites within the village should be first be developed before agricultural land is used.
- Has concerns over the site layout/entrance.
- Distance to village services for future residents.

**38 Kennedy Road – 29 March 2020**

States:

“Isleham is already groaning with its population. The resources, schooling, health services, shops, village parking is already overstretched. This significant development will add significant numbers to the local population using the facilities. It is not clear where access to the developments would be located. Access would cause significant traffic increase to Beck Road. Access via Kennedy road would have a significant impact on the road mainly occupied by older residents. Traffic passing the school would be significantly increased”

**29 Festival Road (care of) – 6 February 2020**

Objects to the application on the basis of:

- Harm to the environment and biodiversity.
- Loss of a view.
- Loss of agricultural land.
- Loss of fruit growing hedgerows.
- Lack of space in the Primary School.

10 March 2020

Maintains their objections from the 6 February 2020 (see above).

6 February 2020

Objects to the proposal on the grounds of:

- The number of dwellings is well in excess of the village plan.
- Lack of school spaces.
- Lack of services/infrastructure.
- Loss of agricultural land.
- Loss of view.
- Loss of biodiversity.
- Loss of fruit growing hedgerows.
- Will detract/hide the ARK.
- Highway safety/capacity.
- Will access be sought to the site from Festival Road.
- Scale (height) of the potential dwellings.
- Affordable dwellings, are not affordable to local people.

27 January 2020

Objects on the grounds of:

- Recent application will increase the number of dwellings in village by 43.5%.
- Lack of space in village school and no room to expand.
- Lack of shops in village and those will not be able to cope with additional demand.
- One bus stop in village and one bus service a day into Newmarket.
- Nearest train station is in Ely.
- Ark is still under construction and regular construction traffic.
- There is a highway between Festival and Kennedy Road, which will become a shortcut.
- Outside development boundary.
- Loss of agricultural land.
- Loss of biodiversity.
- Density of the scheme is too high.
- Raises highway safety issues and congestion in the surrounding area.
- Loss of privacy to existing neighbouring properties.

11 March 2020

Maintains objections from 27 January 2020.

15 April 2020

Raises previous concerns. In addition raises the Corvid 19 and the impact this is having on lifestyle, housing market and the wider economy.

### **33 Festival Road – 24 January 2020**

Objects on the basis:

- Loss of arable land.
- Outside development envelope.
- Lack of infrastructure.

### **100 Beck Road – 5 February 2020**

Raises concerns in regards to both highway safety and impact on the village's primary school.

22 April 2020

Raises concerns in regards to parking provision.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
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
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

### 6.2 Supplementary Planning Documents Design Guide Developer Contributions and Planning Obligations Cambridgeshire Flood and Water Contaminated land

### 6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 10 Supporting high quality communications
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

### 7.0 PLANNING COMMENTS

#### 7.1 Principle of Development

7.2 The local planning authority is currently able to demonstrate that it has an adequate five year supply of land for housing from the 21 April 2020, with the Council currently having a 6.61 year supply. Therefore, all Local Planning policies relating to the supply of housing must be considered to have full weight and housing applications assessed in terms of the GROWTH policies contained within the Local Plan, specifically in this case GROWTH2.

7.3 Policy GROWTH 2 allows some exceptions to providing dwellings (and other development) in the countryside. However, this scheme is not an affordable housing exception site, for rural workers, community-based development or care home. The proposal, therefore, fails to comply with Policy GROWTH 2.

7.4 The site is located outside of the development envelope, but is adjacent to it along the northern boundary. The majority of growth within the District is focussed within the market towns of Ely, Soham and Littleport. However, growth is expected in smaller settlements. The village of Isleham lies 9 miles south-east of Ely and 6 miles north-east of Newmarket and has a reasonable range of services including several pubs, a village shop, primary school, recreation ground and churches.

7.5 It is not considered possible for the village to adapt to become self-sufficient within the foreseeable future. Paragraph 78 in the NPPF does make it clear that new housing can make villages grow/thrive and help support local services. It also makes it clear that services in one settlement can help support neighbouring settlements.

7.6 It is noted that services and infrastructure within Isleham are running at or beyond capacity due to the continued growth within the village, including the village primary school that includes early year provision.

- 7.7 It is considered that the application is unacceptable in principle, as it is located outside an area planned for residential development. The proposal on this basis fails to comply with GROWTH 2 of the adopted Local Plan and should be refused on this basis.
- 7.8 Highways
- 7.9 The application is proposing a 5.5m wide entrance road onto Beck Road, with 2m wide footpaths to connect into the existing footpath on Beck Road leading to 'The Ark'. This connection to the public footpaths will allow safe pedestrian access into the village. The developer has also submitted a Transport Statement that has been reviewed by County Council. The site entrance is onto a relatively straight road that provides good visibility in both directions.
- 7.10 It is noted that both the Local Highways Authority and the Transport Team have no objection to this development subject to conditions, which could be added if the application was to be approved to ensure sustainable methods of transport are promoted and long term highway safety.
- 7.11 It is noted that there is a lane that runs between Festival Road and Kennedy Road. The final layout will need to carefully consider how to respond to this lane. It is most likely that a mix of boundary treatment (including hedging) is provided to prevent access onto this lane. A reserved matters application would need to demonstrate that a balance has been taken between permeability and secured by design.
- 7.12 The Highway Authority have assessed the proposal and concluded that it will not have any detrimental impact on highway safety.
- 7.13 However, as detailed at the April 2020 Planning Committee this cumulative level of growth in Isleham would result in an unsustainable amount of residential development, which would outstrip the modest increase in employment and services provision envisaged for Isleham. This would result in an unsustainable pattern of development, encouraging high levels of out commuting by private vehicle by virtue of the lack of public transport and other sustainable means of travel. The proposal would, therefore, not comply with Policy COM7 of the Adopted Local Plan 2015 nor would it meet the requirements of paragraphs 103 and 104 of the NPPF.
- 7.14 The illustrative masterplan shows that on plot parking could be accommodated and there is no foreseeable reason to why suitable layout could not be provided at a reserved matter stage. On this basis the proposal is considered to comply with policy COM8.
- 7.15 Residential Amenity
- 7.16 With the layout, design and scale not being agreed at this stage it is not possible to provide a detailed assessment in regards to residential amenity. It should also be noted that private views are not a material consideration.

- 7.17 The illustrative master plan has shown bungalows along the northern boundary with two storey dwellings set more than 10m away from the boundary shared with existing residents along the western boundary that meets with the guidance of the Design Guide SPD. With the proposed relatively low density, there is no reason that a layout could not be brought forward at reserved matter stage that ensured existing and proposed residents had an acceptable level of residential amenity.
- 7.18 In addition suitable plot sizes, built form within the plot and private amenity space for future residents should be able to be secured, in accordance with the Design Guide SPD.
- 7.19 Conditions could be added to ensure construction work would not cause detrimental harm to residential amenity. These conditions would require a Construction Environmental Management Plan to be submitted, as well as controlling hours of construction and details of piling.
- 7.20 Conditions would also be required to ensure any unexpected contamination is dealt with.
- 7.21 The proposal is considered to comply with policies ENV2 and ENV 9 of the adopted Local Plan.
- 7.22 Visual Amenity
- 7.23 The site provides a visual link between Beck Road and the open countryside that continues past Sheldricks Road to the east. The church building to the south forms a key landmark feature in the landscape.
- 7.24 The reduction in dwelling numbers by the applicant is to ensure that space is maintained along the southern boundary to protect long distance views across the rural landscape and that 'The Ark' rural setting remains and its landmark nature retained. While the exact layout is not being determined at this outline stage, if permission was to be granted, any future application would need to retain at least the level of open space as shown on the indicative layout plan. Any proposed soft landscaping would also need to be carefully considered in order that the open fen nature of the locality is preserved. On this basis large trees should form landmark features, without so many to obscure views and there should be a greater reliance on hedgerows with sparse tree planting. A number of residents have raised concerns in respect of the removal of existing hedgerows. The existing hedgerows are unprotected and could be removed without consent. The proposal could, therefore, allow more long term protection for landscape and could include fruit bearing hedgerows as raised by residents during public consultation.
- 7.25 The level of harm proposed to the landscape of the area is between minor – moderate. While impact on landscape is not a reason for refusal, it demonstrates the importance of development envelopes and plan led development to control which spaces are lost to development. Plan led development is designed to allow the loss of some countryside in order to provide the required number of homes, whilst preventing sprawl into the open countryside and to protect the character and setting of settlements as defined by policy GROWTH 2 of the Adopted Local Plan. It is considered that the proposal would not cause any detrimental harm to the

landscape that would warrant refusal of the proposal on the grounds of policy ENV1.

- 7.26 While it is considered that a very limited number of 2 ½ storey properties could be accommodated on the site, more single storey properties would likely be required to meet with the character of the existing dwellings to the north. However, as scale is not being considered at this stage, no weight is given to this factor.
- 7.27 With a net density of 21 dwellings per hectare (11 dwellings per acre), the proposed density is low and would be considered appropriate for this village edge location.
- 7.28 The proposal is considered to comply with policies ENV1 and ENV2 of the Adopted Local Plan.
- 7.29 Historic Environment
- 7.30 The comments of the Conservation Officer and the County Council Archaeologist are noted and accepted. On this basis to prevent unnecessary harm to heritage a pre-commencement condition to require an archaeological dig could be added if the application was to be approved in order for it comply with policy ENV 14.
- 7.31 Apart from archaeology, the proposal will not lead to any other harm to heritage assets due to the separation distances between the site and other heritage assets.
- 7.32 Ecology
- 7.33 The submitted Ecological Appraisal concludes that the site has a low ecological value, though provides a range of mitigation measures to protect any biodiversity that might be in the local area. In addition, it provides a range of biodiversity net improvements including native planting, wildflowers, wetland features, bird/bat boxes, improvements to hedgehog habitat and creation of insect friendly features to ensure that any development secured a net gain in biodiversity.
- 7.34 The proposed development will, therefore, lead to a benefit to local biodiversity and on this basis complies with policy ENV7 and the NPPF.
- 7.35 Flood Risk and Drainage
- 7.36 The site is located within Flood Zone 1 and on this basis is a location where residential development is considered acceptable in principle.
- 7.37 The developer (who provided additional information at the end of March 2020 to overcome the Lead Local Flood Authorities initial objection) is suggesting an infiltration-led drainage strategy, in particular in the south-east where one of the larger infiltration basins is to be located.
- 7.38 Following the submission of this additional information, the Lead Local Flood Authority have now withdrawn their initial objection and have no objection to this proposal, subject to a drainage condition that could be added if the application was to be approved.

- 7.39 The long term maintenance of the sustainable drainage system could be controlled via a S106 Agreement.
- 7.40 The proposal, with a suitable drainage scheme, would reduce the risk of surface water flooding in the foreseeable future as a drainage scheme would maintain greenfield run off rate, as well as accommodating climate change and urban creep (extensions/patios etc). The proposal in regards to drainage complies with policy ENV8 of the Adopted Local Plan, the Cambridgeshire Flood and Water SPD and the requirements of the NPPF, subject to a drainage condition and the completion of a S106 Agreement.
- 7.41 Anglian Water have raised no objections to this proposal. On this basis, the proposal will not lead to any problems to the foul water network, subject to a condition to control the final details on site.
- 7.42 Housing Mix
- 7.43 In order to comply with policy HOU3 of the Adopted Local Plan the site will need to provide 30% affordable dwellings with a mix of 77% rented and 23% shared ownership. The applicant has agreed to provide 30% affordable housing as part of the scheme and this could be secured via a S106 Agreement if the application were approved.
- 7.44 Policy HOU1 requires a range of 1 – 5 bedroom dwellings. The developer will need to justify their proposed housing mix as part of any reserved matters application submission, if this application was to be approved, to comply with policy HOU1 of the Adopted Local Plan.
- 7.45 Education and other services
- 7.46 Cambridgeshire County Council as the Education Authority have noted that Isleham Church of England Primary School is over prescribed and is seeking a new site within Isleham to provide a new school. The primary school also provides a pre-school. It is noted that the primary school site is constrained and does not have room to expand on its existing site.
- 7.47 It is the Case Officer's view that the proposal would lead to a neutral impact upon the early years/primary education in the medium to long term, subject to contributions being sought through a S106 Agreement, which the developer has agreed to pay. However, the proposal is likely to have a minor to moderate adverse impact in the short term while school spaces are created. The developer has also agreed to pay towards libraries/continued learning and secondary education to mitigate the additional school places required to accommodate the dwellings proposed.
- 7.48 If a new site cannot be found in Isleham for a primary school, then the financial contribution would go to provide additional education spaces in Soham. However, the education contribution should be first sought to be spent in Isleham as making early years and primary school children travel to Soham would have a negative impact upon the sustainability of both the proposed development and the village,

as well as having a greater impact on the local road network, and on this basis weighs against the proposal.

- 7.49 It was the view of Members at the April 2020 Planning Committee when it assessed two separate applications in Isleham (one for up to 110 dwellings and one for 4 dwellings) that contributions were not acceptable to mitigate harm and that the infrastructure would first need to be improved/provided in Isleham before additional development came forward. With no change since April 2020 it would be unreasonable to treat this application differently, as it would have a greater cumulative impact than 4 dwellings (19/01777/OUT). On this basis, due to the cumulative impact and harm to Isleham's infrastructure/services the application should be refused on this basis.
- 7.50 NHS England have not commented on this application. However, improvements to the Staploe Medical Centre in Soham are listed on the Council's Infrastructure List and therefore the Community Infrastructure Levy (CIL) contributions from the development could help to mitigate this aspect.
- 7.51 Fire hydrants can be accommodated on site via a condition.
- 7.52 While an increase in the number of dwellings will add to the pressure on some services, this also provides more people in a community to help support services/facilities; for instance village pub and bus service. However, it has been considered that any new additional growth in Isleham needs to come after investment in infrastructure/services in order to provide the right balance between growth and support.
- 7.53 If the application was to be approved the Parish Council would receive part of the CIL funding.
- 7.54 Other Material Matters
- 7.55 East Cambridgeshire District Council is allowed to go on private property to collect waste/recycling as this is specifically allowed in RECAP guidance in order to ensure layouts can have a degree of flexibility and to prevent residents from having to move bins an excessive distance, as it gives set distances of how far both residents and refuse collectors should drag bins. Refuse lorries though cannot enter private roads unless the landowner is willing to give suitable permission via indemnity insurance. This is one of the reasons why the Local Planning Authority seeks to ensure any road layout is designed to adoptable standards.
- 7.56 The district is predominantly rural, with very little brownfield in order to accommodate housing growth. The loss of this agricultural land is not considered to be detrimental in itself due to the large amounts of agricultural land within the District. However, this further adds weight to the importance of Policy GROWTH2

- 7.57 Planning Balance
- 7.58 The proposal is outside of the development envelope of Isleham and is therefore unacceptable in principle, as full weight is given to policy GROWTH 2 of the East Cambridgeshire Local Plan, as the Council can demonstrate a five year housing land supply. The proposal does not meet any of the exceptions within Policy GROWTH 2 that would justify going against the requirements of this policy. The application should, therefore, be refused on these grounds (as detailed in para 1.1).
- 7.59 It was the view of Members at the April 2020 Planning Committee when it assessed two separate applications in Isleham (one for up to 110 dwellings and one for 4 dwellings) that Isleham has seen a significant amount of proposed dwellings being approved over and above the planned level. This proposal when considered cumulatively with recent approvals would result in an unsustainable amount of residential development, which would outstrip the modest increase in employment and services provision envisaged for Isleham and place significantly increased pressure on local infrastructure, which is running beyond capacity. It was considered that contributions were not acceptable to mitigate harm and that the infrastructure would first need to be improved/provided in Isleham before additional development came forward as it was unacceptable to continue to overburden Isleham. With no change since April 2020 it would be unreasonable to treat this application differently.
- 7.60 In addition, it would result in an unsustainable pattern of development, encouraging high levels of out commuting by private vehicle by virtue of the lack of public transport and other sustainable means of travel. It is on this basis that the proposal does not comply with Policies GROWTH 3, GROWTH 5 and COM 7, as well as the provisions of the NPPF, and should be refused (as detailed in para 1.1), until such time as the infrastructure and sustainable means of transport of Isleham is improved.
- 7.61 There are no other reasons for refusal, as all other material considerations including residential amenity, visual impact, highway safety, heritage, ecology, flood risk, housing mix and refuse collection could be mitigated either via a condition and/or through a S106 Agreement.
- 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 Local Planning Authority has a five year housing land supply.

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
20/00007/OUM	Andrew Phillips Room No. 011 The Grange Ely	Andrew Phillips Planning Team Leader 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>