



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,  
ELY, CAMBRIDGESHIRE CB7 4EE

Telephone: Ely (01353) 665555  
DX41001 ELY Fax: (01353) 665240  
www.eastcambs.gov.uk

Mr Jonathan Waters  
C/O TAB Architecture  
FAO Mr Craig Farrow  
Rosewood Office  
Freckenham Road  
Chippenham  
Cambridgeshire  
CB7 5QH

*This matter is being dealt with by:*

Richard Fitzjohn

Telephone: 01353 616280  
E-mail: richard.fitzjohn@eastcambs.gov.uk  
My Ref: 17/01247/FUL  
Your ref

19th September 2017

Dear Sir/Madam

## TOWN AND COUNTRY PLANNING ACT 1990

### PLANNING PERMISSION

#### Subject to conditions

The Council hereby **approves** the following development:

**Proposal:** Development of 3 No. three bedroom bungalows  
**Location:** Land Adjacent To 2 Houghtons Lane Isleham Cambridgeshire  
**Applicant:** Mr Jonathan Waters

This consent for planning permission is granted in accordance with the application reference 17/01247/FUL registered 24th July 2017.

**Subject to the additional conditions set out below:**

### ADDITIONAL CONDITIONS

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

Plan Reference	Version No	Date Received
TAB284-03		10th July 2017
TAB284-02		10th July 2017
TAB284-01		10th July 2017
TAB284-04A		24th July 2017

1 Reason: To define the scope and extent of this permission.

2 The development hereby permitted shall be commenced within 3 years of the date of this permission.

- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 5 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 7 Prior to first occupation of any of the hereby approved dwellings, the highway carriageway shall be widened and the new footway shall be installed in accordance with drawing no. TAB284-03.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Prior to first occupation of the hereby approved dwellings, the proposed on-site vehicle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and thereafter retained for that specific use.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 10 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of the hereby approved dwellings.
- 10 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 Prior to first occupation of the hereby approved dwellings, a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 No above ground construction shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: driveway surfacing materials. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.

- 13 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 14 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00am - 18:00pm each day Monday-Friday, 08:00am - 13:00pm Saturdays and none on Sundays or Public Holidays.
- 14 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 No development shall take place until a scheme for a highways surface water camera survey and installation of new gullies connecting to the existing highways surface water system has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of the hereby approved dwellings.
- 15 Reason: To prevent the increased risk of flooding and a detrimental impact upon highway safety, in accordance with policies ENV8 and COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted. This condition is a Grampian condition.

### **INFORMATIVES RELATING TO THIS APPLICATION**

- 1 The decision to approve this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The proposal is considered to be in accordance with the policies of the Development Plan, that are considered to be up to date, and represents 'sustainable' development in compliance with the provisions of the NPPF. The policies in themselves have been sufficiently explicit to guide the submitted application and acceptable plans and information has been submitted, therefore no amendments/improvements have been sought from the applicant.
- 2 This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out works within the public highway without permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents and approval under the Highways Act 1980 and Street Works Act are also obtained from the County Council.
- 3 East Cambs will not enter private property to collect waste or recycling, therefore it would be the responsibility of the Owners/residents to take 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 loose gravel/shingle driveways.

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, 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 detailing the payment amount and the planning reference number.

- 4 Please note that East Cambridgeshire District Council is a Community Infrastructure Levy (CIL) Charging Authority. Your planning application may be liable for CIL. For more information on CIL please visit our website <http://www.eastcambs.gov.uk/planning/community-infrastructure-levy> or email [CIL@eastcambs.gov.uk](mailto:CIL@eastcambs.gov.uk).

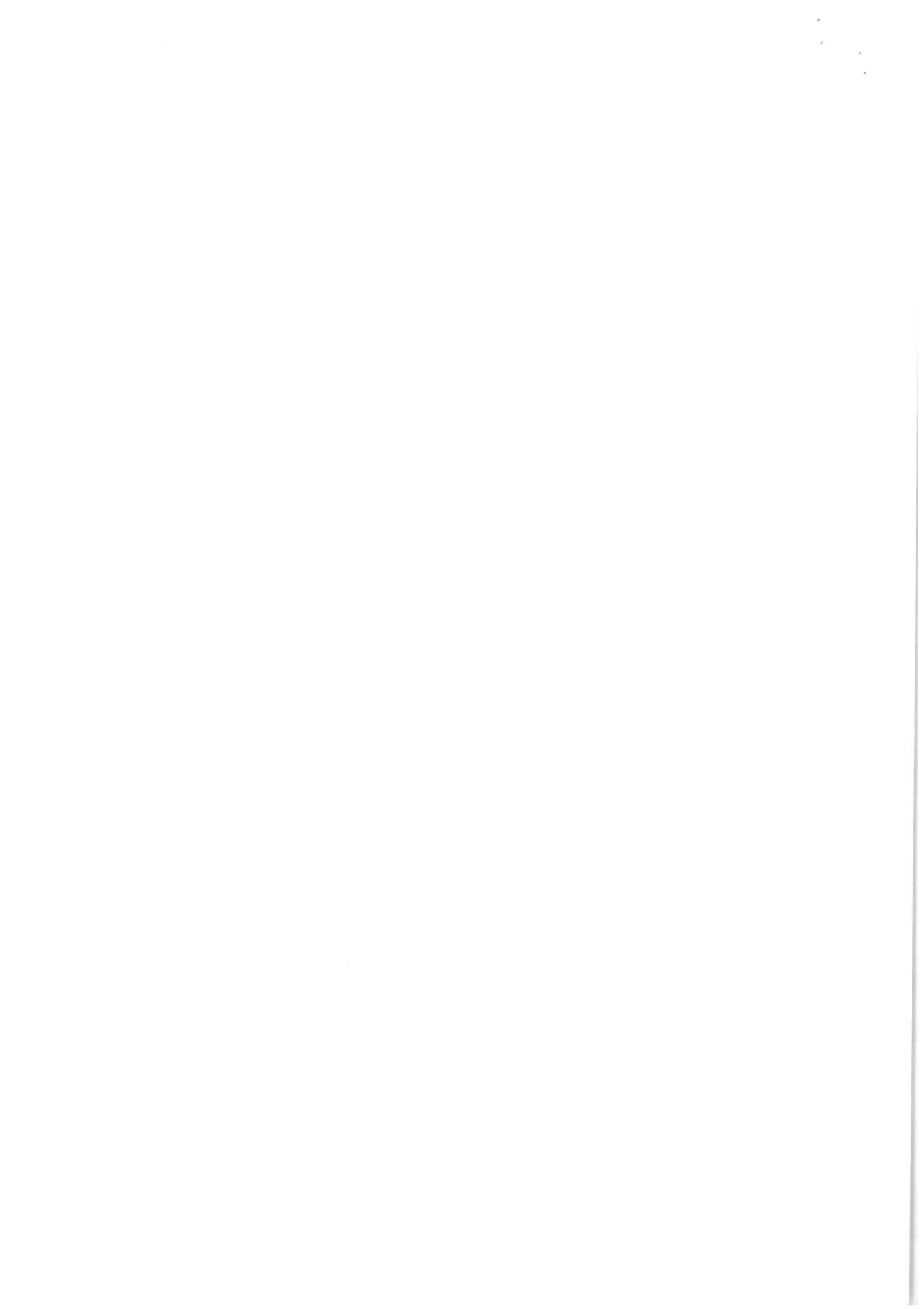
PLEASE ALSO NOTE THAT THIS PERMISSION IS GRANTED SUBJECT TO DUE COMPLIANCE WITH THE BYE-LAWS AND GENERAL STATUTORY PROVISION IN FORCE IN THE DISTRICT AND DOES **NOT** CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS. YOU ARE ADVISED TO CONTACT THE BUILDING REGULATIONS SECTION IF YOU WISH TO DISCUSS THIS FURTHER

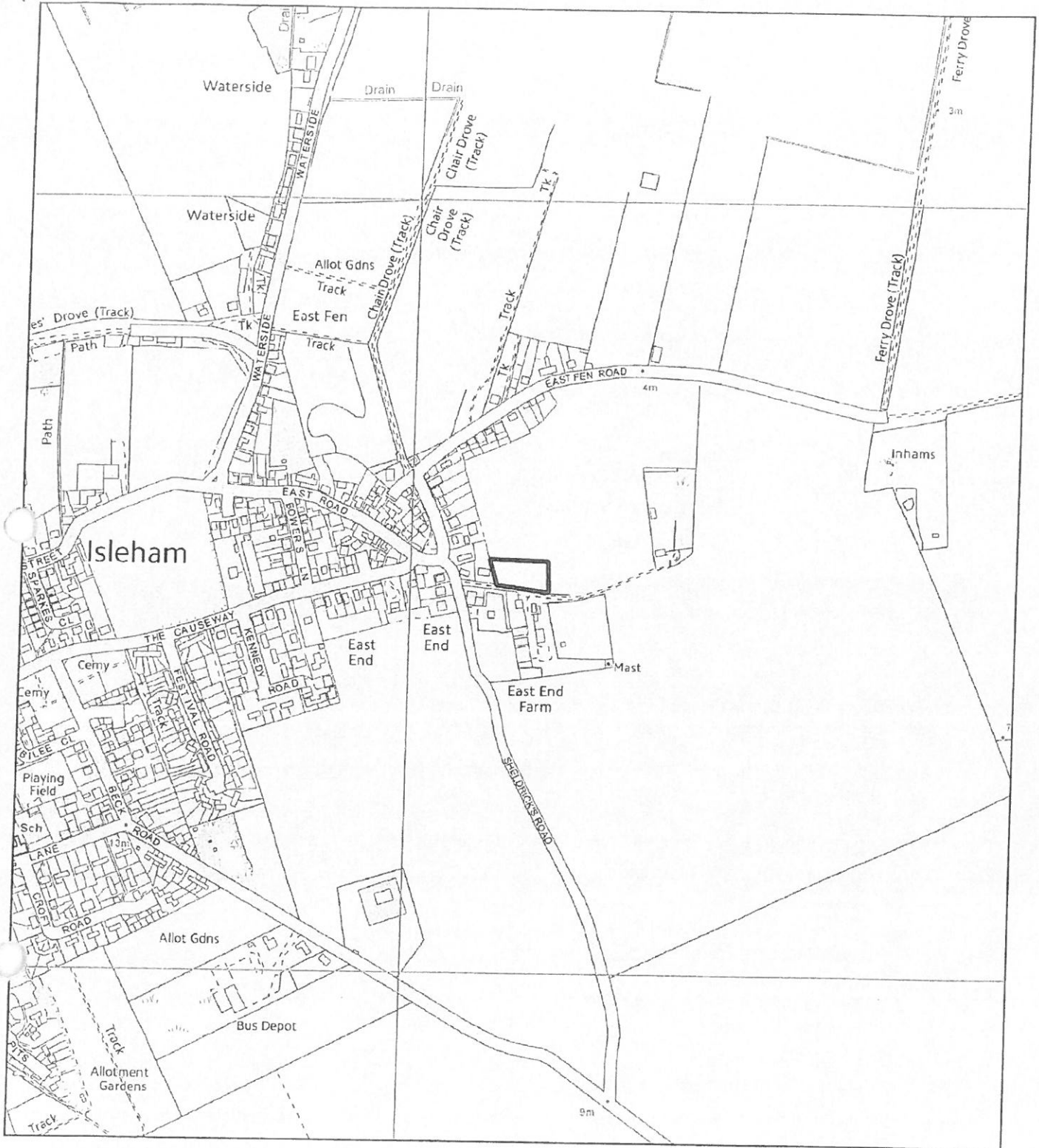


**Rebecca Saunt**

**Planning Manager**

Dated: 19th September 2017





17/01247/FUL

Land Adj to  
2 Houghtons Lane  
Isleham



East Cambridgeshire  
District Council

Date: 05/09/2017  
Scale: 1:7,000



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MAIN CASE

Reference No: 17/01247/FUL

Proposal: Development of 3 No. three bedroom bungalows

Site Address: Land Adjacent To 2 Houghtons Lane Isleham  
Cambridgeshire

Applicant: Mr Jonathan Waters

Case Officer: Richard Fitzjohn, Planning Officer

Parish: Isleham

Ward: Isleham  
Ward Councillor/s: Councillor Derrick Beckett

Date Received: 24 July 2017      Expiry Date: 18 September 2017  
[S108]

1.0 RECOMMENDATION

1.1 Members are requested to APPROVE this application subject to the recommended conditions below:

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Site Characterisation
- 4 Reporting of unexpected contamination
- 5 Archaeological Investigation
- 6 Sample materials
- 7 New footway provision
- 8 Car parking
- 9 Access drainage
- 10 Foul and Surface water drainage
- 11 Soft landscaping
- 12 Hard landscaping scheme
- 13 Biodiversity Improvements
- 14 Construction times
- 15 Drainage

2.0 SUMMARY OF APPLICATION

2.1 Full planning permission is being sought for the erection of 3No. detached bungalows and garages. This application follows a recent refusal of planning permission by the Planning Committee, for 3No. dwellings on the application site



(ref: 17/00222/FUL). The Planning Committee delegated the drafting of the refusal reasons to the Planning Manager. The refusal reasons are set out below:

1. The proposed development and the proposed public footpath extension would have a detrimental impact upon the drainage of surface water from the public highway along Houghtons Lane, contrary to Policies ENV8 and COM7 of the East Cambridgeshire Local Plan 2015.
  2. Due to the ambiguity of the width of the public highway adjacent to the site frontage, the proposal does not adequately demonstrate that there would be sufficient room to provide the proposed footpath within the current width of Houghtons Lane, contrary to Policy COM7 of the East Cambridgeshire Local Plan 2015.
- 2.2 The current application includes widening of part of the road and an amended footpath extension along the frontage of the site.
- 2.3 Pre-application advice was provided by the Planning Officer prior to submission of the formal planning application and a positive response to the principle of development on the site was given.
- 2.4 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.**
- 2.5 This application will be determined by the Planning Committee as it is understood that Ward Councillor Derrick Beckett has a pecuniary interest in the application site. The previous application (ref: 17/00222/FUL) was also considered by the Planning Committee.

3.0 PLANNING HISTORY

3.1 On-site planning history

17/00222/FUL	Development of 3No. three bedroom bungalows	Refused	13.06.2017
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Off-site planning history

17/00223/FUL	Development of 2 No. three bedroom bungalows.	Approved	05.05.2017
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17/00550/OUT	Proposed for Two 2 storey dwellings, garaging, parking, access & associated site works.	Approved	03.08.2017
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#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located outside of, but immediately adjacent to, the established development framework for Isleham. The site is located on the north side of Houghtons Lane, which comprises a single-track lane predominantly surrounded by open agricultural fields to the north, east and south.

4.2 There are two detached bungalows (No.4 East Fen Road and No.2 Houghtons Lane) located near to the vehicle junction with Sheldrick's Road, on the north side of Houghtons Lane. There is also a 1.5 storey farm dwelling (Willow Cottage, No.4 Houghtons Lane) located on the north side of Houghtons Lane, to the eastern end of the single-track road.

4.3 There is a single-storey clunch barn, a two-storey farm dwelling (Appleyard Farm, No.1 Houghtons Lane) and agricultural buildings located on the south side of Houghtons Lane, directly opposite the application site. There are also extant planning permissions (15/01121/FUL and 17/00550/OUT) for dwellings on land to the east of Appleyard Farm which are not yet built. There is a garden to No.1 Sheldrick's Road which is located on the south side of Houghtons Lane, near to the vehicular junction with Sheldrick's Road.

4.4 The application site itself comprises part of an open, agricultural field with hedging and utility poles adjacent to the southern boundary along Houghtons Lane. There is also a shallow ditch adjacent to the southern boundary of the site which is largely hidden beneath undergrowth within the grass verge. This ditch does not connect to a watercourse. A single-storey residential bungalow (No.2 Houghtons Lane) is located immediately adjacent to the west boundary of the application site, with a low-level hedge bordering the application site. The north and east boundaries of the site are open to the agricultural field.

#### 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.

5.1.1 Isleham Parish Council – Do not feel that the proposed French drain and footpath will be sufficient to address the previous reasons for refusal (17/01247/FUL). Would particularly like to emphasise that this is an agricultural track and that extensive amounts of mud will be washed into this drain, causing blockages and subsequent flooding of the road. Understand that the road has been subject to recent flooding. There also remains some factual inaccuracies in the application:

- There is no change to the proposed access to / from the public highway
- The current road is less than 3m in width at the starting point of the proposed new footpath.

Do not feel the following objections relating to previous application (17/01247/FUL) have been addressed in this application:

- The application is outside of the villages development envelope and takes no account of the proposed Local Plan. Approval of any houses on this particular site would almost certainly result in further applications being made.
- Houghtons Lane is no more than a simple, single-track, agricultural farm roadway. It is already in a very poor condition, does not include any street lighting and therefore simply does not fit for the additional traffic resulting from this proposed development.
- The application doesn't address the potential problems associated with electricity pylons which are positioned above at least one of the plots.
- The development doesn't protect the amenities and services of the neighbouring properties - The development would overlook existing houses to the south and therefore result in a loss of privacy.
- Deem the current infrastructure of the village to be totally inadequate to accommodate further growth. Limited public bus service, no rail station and no designated cycle routes to or from the village, which is served only by poor rural "B" roads.
- Private car ownership is a pre requisite for working adults living in Isleham.
- The village Primary school is already at capacity and there are no proposals to extend it. The school will be significantly impacted by the Local Plan and any additional houses such as those proposed for this site will further compound this problem.
- Secondary age students have to travel 5 miles to the nearest secondary school and there is only sparse rural local employment. Carbon private car journeys will therefore have to increase. This flies in the face of the Climate Change Act 2008 which has a target of reducing carbon emissions by at least 80% below 1990 levels by 2050.
- Mobile phone signals and broadband speeds are not reliable enough to enable effective working from home, further compounding traffic problems.
- There is only one small Co-op in the village, serving a current adult population of 1900.
- Village utilities and services are already operating at or above capacity.
- The surrounding area is almost exclusively arable farmland. Any further development would have a detrimental effect on the local, natural environment
- 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 and the houses are not aesthetically interesting.

5.1.2 Ward Councillor – No comments received.

5.1.3 Local Highways Authority – The Local Highway Authority has stated that there is a drainage issue down this road which has been brought to their attention. As this application is intending to remove the grass verge and replace it with a footway, this drainage issue will increase as there is nowhere for the water to go if the only area of filtration is taken away. There is a highways surface water gully in Houghtons Lane, but Local Highway Authority records do not have this recorded as their asset. Therefore, in order to secure the necessary highways surface water drainage in the area, the Local Highway Authority requests a condition is appended to any grant of planning permission requiring that, in addition to the site surface water strategy, to include a highways surface water camera survey and install new gullies and connect these to the existing highways surface water system.

5.1.4 CCC Growth & Development - No Comments Received.

5.1.5 Environmental Health - Advises that planning conditions are appended to any grant of planning permission requiring an appropriate contamination assessment to be carried out.

Due to the proposed number of dwellings, advise that construction times and deliveries during the construction phase are restricted to the following:

08:00-18:00 Monday-Friday

08:00-13:00 Saturdays

None on Sundays, Bank Holidays or Public Holidays.

Notes that the proposed site is in close proximity to East End Farm to the south where there are four large agricultural buildings. It is not clear what these buildings are used for but, as no complaints have been received about this site and there are existing residential properties of a similar distance to the proposed dwellings, no concerns to raise at this time. The fact that these proposed dwellings will be bungalows will also minimise the impact from any noisy activity in the agricultural buildings.

5.1.6 Waste Strategy (ECDC) - East Cambs 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. East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles.

5.1.7 Trees Officer - This proposal is for three dwellings on existing agricultural land. There are some insignificant trees on the boundary of the verge with Houghtons Lane potentially affected. No tree details have been supplied. Does not formally object as no significant trees are impacted. However, raises concerns that the proposal will have a negative impact upon the landscape character of the area which would be in conflict with guidance within the local plan (ENV1: Landscape and settlement character). If the application is to be approved, recommends a full Landscaping Scheme with associated Landscaping Maintenance Schedule to be submitted under condition of planning approval (Conditions LS1A & LS3A), to ensure an effective design that accommodates the development within the landscape.

5.1.8 UK Power Networks - No Comments Received.

5.1.9 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.

5.2 Neighbours – A site notice was displayed near the site and 6 neighbouring properties were notified. An advert was also placed in the Cambridge Evening News advertising the application as a departure from the development plan. Objection

letters have been received from the occupiers of 2 nearby properties and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Application is outside of the development envelope and does not meet any of the exception criteria within the Local Plan.
- Houghtons Lane is prone to localised flooding. This development and especially widening the road would exaggerate this problem.
- Inaccuracies in both the site location plan and site location plan as proposed.
- The road width, just prior to the development at the start of the proposed new footpath, is not wide enough to meet policy COM7 of the Local Plan, especially in the way of pedestrian access and large vehicle access.
- Concerns that the widened road will be used for parking, creating its own safety issues.
- Road and junction is primarily used for agricultural use and not fit/safe for the proposed additional traffic.
- The proposed new road is out of proportion with the rural locality, as Sheldrick's Road is only 4m in width.
- Removal of an established and wildlife rich hedgerow of over 20m in length and detrimental effect on wildlife.
- Site is located directly below and adjacent to electricity pylons and transformers, potential health risks and EMF risks. These are omitted from the drawing and would require repositioning.
- Detrimental effect to property, rural aspect and privacy of No.1 Sheldrick's Road. Change of landscape from rural to urban.
- No street lighting, security and safety risk as family homes. No pedestrian access on both sides of Houghton Lane.
- Proposed dwellings are not of high quality, fitting to the area or well balanced.
- The proposed development should be related to recent planning refusal 17/00222/FUL.
- Inaccurate / inconsistent details provided in the planning documentation.
- Alleged financial interest of nearby properties.
- Planning application 17/00550/OUT was recently approved for 2 houses on the other side of Houghtons Lane in the same vicinity. The lane now stands at 6 (3 current and 3 approved). Approval of this application would increase the number of houses from 3 to 9 without any provision for improvements to the highway which is already in a poor state.
- Houghtons Lane is a single-track road, which is in poor condition and frequently floods at the Sheldrick's Road end due to poor drainage.
- Road and junction is primarily for agricultural use and not fit / safe for the proposed additional traffic. The roads are very narrow and would create highway safety issues. Increase likelihood of cars reversing out of Houghtons Lane onto Sheldrick's Road.
- The Local Highway Authority has previously stated they would not be prepared to fund the construction of a standard carriageway along Houghtons Lane.

## 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
ENV 1	Landscape and settlement character
ENV 2	Design
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

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 2012

6 Delivering a wide choice of high quality homes

7 Requiring good design

11 Conserving and enhancing the natural environment

## 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.

### 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 3 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 adjacent to, the established development

framework for Isleham, well-related to existing residential properties. Houghtons Lane is a 30mph speed limit road which is very lightly trafficked. The proposed development would provide a new footpath adjacent to the front of the application site which would connect to the existing footpath located along a small section of Houghtons Lane. The proposed development would therefore provide 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 site is considered to be in a sustainable location.

- 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.
- 7.3 Character and appearance of the area
- 7.3.1 The location, sizes of the plots, and the scale and design of the proposed bungalows, would relate well to, and appear in keeping with, the existing plot sizes and bungalows located nearby to the west of the site on Houghtons Lane, Sheldrick's Lane and East Fen Road. It is therefore considered that the proposed development takes into account the existing character of the locality and the nearby housing densities.
- 7.3.2 As the application site is located within an edge of settlement location, the layout, scale, form, design and materials of any development should protect, conserve and where possible enhance existing landscape features and the visually sensitive settlement edge. Although it is accepted that the proposed dwellings would be visible within the surrounding rural landscape, the application site is not isolated and is located within close proximity to existing dwellings and built forms. Due to the physical relationship with existing residential dwellings, and taking into account that the proposed dwellings would not extend beyond the built form that already exists in the vicinity of the site, it is considered that the addition of 3No. modestly sized single-storey dwellings as is proposed, would not be visually intrusive upon the character and appearance of the surrounding area.
- 7.3.3 The application form states that the proposed bungalows would be constructed of brickwork with pantile roofs, of a type and colour to match existing neighbouring properties. No specific details of materials have been submitted with the application, however a condition could be appended to any grant of planning permission requiring these details to be agreed with the Local Planning Authority prior to any above ground construction, in order to ensure that the final appearance of the proposed dwellings is acceptable.
- 7.3.4 On balance, it is considered that the proposal will not significantly or demonstrably harm the settlement edge, and subject to appropriate materials and an appropriate soft and hard landscaping scheme being agreed with the Local Planning Authority, the proposed development complies with Policies ENV1 and ENV2 of the Local Plan 2015.
- 7.4 Residential Amenity

- 7.4.1 The application site is located immediately adjacent to the east boundary of an existing residential bungalow (No.2 Houghtons Lane). Plot A of the proposed development would be located immediately adjacent to this neighbouring property and the proposed bungalow would be sited generally in line with the existing bungalow of No.2 Houghtons Lane. The proposed bungalow to Plot A would be distanced 2.4m from the west boundary with, and 8.4m from the existing dwelling of, No.2 Houghtons Lane at its closest point. Furthermore, the proposed bungalows would be single-storey, with modest heights of 5m at the ridge and 2.5m at the eaves. Due to the modest heights and single-storey nature of the proposed bungalows, in addition to their distances from existing residential properties, the proposed dwellings would not create a significant overbearing impact, a significant loss of light or create an unacceptable level of overlooking upon the existing neighbouring properties. The proposal will therefore adequately protect the residential amenity of neighbouring properties, in accordance with Policy ENV2 of the Local Plan.
- 7.4.2 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 Highway safety
- 7.5.1 Houghtons Lane is a 30mph speed limit road with minimal traffic. The proposed development would create 3 new vehicular accesses off the north side of Houghtons Lane and would also provide an extension to the existing public footpath on the north side of Houghtons Lane, along the full frontage of the 3 proposed dwellings.
- 7.5.2 The previous planning application on the site (ref: 17/00222/FUL) was refused planning permission by the Planning Committee due to the proposal not adequately demonstrating that there would be sufficient room to provide the proposed footpath within the current width of Houghtons Lane. The current application includes widening of the road along the frontage of the application site. In addition, the current application provides a 1.8m wide footpath along the frontage of the application site, which reduces to 1.5m wide to the front of No.2 Houghtons Lane. The applicant has been advised of the above footpath construction requirements and has agreed to the footpath being constructed to the Local Highway Authority's recommended specification. It is considered that the proposed widening of the road along part of Houghtons Lane would ensure that there is sufficient room to provide the proposed footpath. The proposed widening of the road and the provision of the footpath could be secured by a Grampian planning condition.
- 7.5.3 There is a highways surface water gully adjacent to the front of the site along Houghtons Lane, but Local Highway Authority records do not have this recorded as their asset. It is believed that surface water drainage from the road is currently aided by the highways surface water gully adjacent to the front of the site, which is located within the highway verge and is within the ownership of the Local Highway Authority. Concerns have been received regarding the impact of the proposed development and the proposed public footpath extension on drainage of surface water from Houghtons Lane.



- 7.5.4 The previous planning application on the site (ref: 17/00222/FUL) proposed the installation of a highways surface water (French drain) drainage system to the rear of the proposed footpath, following a request from the Local Highway Authority. However, Members also refused planning permission for this previous application due to the impact of the proposed development and the proposed public footpath extension upon surface water drainage from the public highway.
- 7.5.5 The Local Highway Authority has stated that there is a drainage issue down this road which has been brought to its attention. The Local Highway Authority has also stated that, as this planning application is intending to remove the grass verge and replace it with a footway, this drainage issue will increase as there is nowhere for the water to go if the only area of filtration is taken away. Following refusal of the previous planning application on the site (ref: 17/00222/FUL), where concerns raised by Members in relation to drainage and the suitability of a French drain system, the Local Highway Authority has reviewed their previous comments and are now requesting a condition is appended to any grant of planning permission requiring that, in addition to the site surface water strategy, a highways surface water camera survey and the installation of new gullies connecting to the existing highways surface water system, in order to overcome drainage concerns. The applicant's agent has confirmed in writing that the applicant accepts the drainage conditions requested by the Local Highway Authority. These conditions could be appended to any grant of planning permission.
- 7.5.6 It is therefore considered that, subject to the Local Highway Authority's recommended conditions, the proposed development and the proposed public footpath extension would not have a detrimental impact upon the drainage of surface water from the public highway along Houghtons Lane, and the proposed development would not create any detrimental harm to highway safety, in accordance with Policies ENV8 and COM7 of the East Cambridgeshire Local Plan 2015.
- 7.5.7 The proposed development would accommodate two vehicle parking spaces within each plot, in accordance with Policy COM8 of the Local Plan 2015.
- 7.6 Ecology
- 7.6.1 The proposal includes the removal of some of the hedging along the south boundary of the site to accommodate the vehicular access to each dwelling. The Council's Tree Officer has been consulted on the application and considers the trees and vegetation on the site to be insignificant. The Tree Officer does not object to the application, however concerns have been raised regarding impact upon the landscape character of the area.
- 7.6.2 The application site predominantly comprises an open agricultural field which appears to be intensively farmed and unlikely to provide a significant ecological habitat. The site is bordered to the south and west by hedging. There is also a shallow ditch present beneath the hedging to the south of the site, however this is not a watercourse.
- 7.6.3 Concerns have been raised by occupiers of neighbouring properties regarding the

impact of the proposed development upon local wildlife, however the site does not display any characteristics of being an important ecological habitat. Conditions could be appended to any grant of planning permission requiring the provision of bird and bat boxes, in addition to soft landscaping, which could provide ecology enhancements.

7.6.4 It is therefore considered that the proposal accords with Policy ENV7 of the Local Plan.

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 Local Planning Authority. Due to the site lying within an area of archaeological potential, this recommended condition is considered to be reasonable.

7.8 Flood Risk

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, Policy ENV8 of the East Cambridgeshire Local Plan 2015 states that new development should normally be located in Flood Risk Zone 1.

7.8.2 Concerns have been raised from neighbouring occupiers regarding flood risk and drainage issues. In addition, Members refused planning permission for the previous application on the site (ref: 17/00222/FUL) due to the impact of the proposed development and the proposed public footpath extension upon surface water drainage from the public highway. However, 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. The application form states that surface water would be disposed of via soakaways. No details of the proposed soakaway have been submitted with the application, however a planning condition could be appended to any grant of planning permission prior requiring drainage details to be agreed with the Local Planning Authority prior to commencement of any development.

7.8.3 It is therefore considered that the proposal would not create any detrimental impacts in respect of flooding, in accord with Policy ENV8 of the Local Plan.

7.9 Planning Balance

7.9.1 The benefits of the proposal are the provision of 3 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. These benefits attract significant weight in favour of the proposal in the planning balance.

7.9.2 Although the proposed development would have some impact upon the character and appearance of the area, the scale and appearance of the proposed bungalows have been sensitively designed to prevent significant and demonstrable harm being caused to the character and appearance of the area. Furthermore, subject to appropriate conditions, the proposed development would not give rise to any unacceptable impacts in relation to residential amenity, highway safety, ecology, archaeology or flood risk.

7.9.3 On balance, it is considered that any adverse impacts would not significantly and demonstrably outweigh the benefits of the development and the proposal is therefore accords with the presumption in favour of sustainable development as set out in the National Planning Policy Framework. The proposal is therefore recommended for approval.

## 8 APPENDICES

8.1 Appendix 1 – Planning conditions

8.2 Appendix 2 – Committee report for planning application 17/00222/FUL

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01247/FUL	Richard Fitzjohn Room No. 011 The Grange	Richard Fitzjohn Planning Officer 01353 665555 richard.fitzjohn@ea stcambs.gov.uk
17/00222/FUL	Ely	
17/00223/FUL		
17/00550/OUT		
15/01121/FUL		

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 17/01247/FUL Conditions

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

Plan Reference	Version No	Date Received
TAB284-04		10th July 2017
TAB284-03		10th July 2017
TAB284-02		10th July 2017
TAB284-01		10th July 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary

remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 5 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation of any of the hereby approved dwellings, the highway carriageway shall be widened and the new footway shall be installed in accordance with drawing no. TAB284-03.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- 8 Prior to first occupation of the hereby approved dwellings, the proposed on-site vehicle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and thereafter retained for that specific use.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 10 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of the hereby approved dwellings.
- 10 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 Prior to first occupation of the hereby approved dwellings, a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 No above ground construction shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: driveway surfacing materials. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 13 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 14 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00am - 18:00pm each day Monday-Friday, 08:00am - 13:00pm Saturdays and none on Sundays or Public Holidays.
- 14 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 15 No development shall take place until a scheme for a highways surface water camera survey and installation of new gullies connecting to the existing highways surface water system has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of the hereby approved dwellings.
- 15 Reason: To prevent the increased risk of flooding and a detrimental impact upon highway safety, in accordance with policies ENV8 and COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted. This condition is a Grampian condition.

MAIN CASE

Reference No: 17/00222/FUL

Proposal: Development of 3No. three bedroom bungalows

Site Address: Land Adjacent To 2 Houghtons Lane Isleham  
Cambridgeshire

Applicant: Mr Jonathan Waters

Case Officer: Richard Fitzjohn, Planning Officer

Parish: Isleham

Ward: Isleham  
Ward Councillor/s: Councillor Derrick Beckett

Date Received: 13 February 2017      Expiry Date: 14 June 2017

[S15]

1.0 RECOMMENDATION

1.1 Members are requested to APPROVE this application subject to the recommended conditions below:

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Site Characterisation
- 4 Reporting of unexpected contamination
- 5 Archaeological Investigation
- 6 Sample materials
- 7 New footway provision
- 8 Car parking
- 9 Access drainage
- 10 Foul and Surface water drainage
- 11 Soft landscaping
- 12 Hard landscaping scheme
- 13 Biodiversity Improvements
- 14 Construction times

2.0 SUMMARY OF APPLICATION

- 2.1 Full planning permission is being sought for the erection of 3No. detached bungalows and garages.
- 2.2 Amended plans have been submitted during the course of this application to address topographical inaccuracies and officer concerns regarding surface water



drainage and boundary treatments. Additional plans have also been submitted during the course of the application to show the appearance of the proposed garages.

2.3 Pre-application advice was provided by the Planning Officer prior to submission of the formal planning application and a positive response to the principle of development on the site was given.

2.4 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.**

2.5 This application has been called in to Planning Committee by Councillor Joshua Schumann as he believes, in the interest of openness and transparency, that due to the Chairman of the Parish Council and Ward Member having to declare a pecuniary interest, it would be best for the determination to be done in an open forum. Councillor Schumann also acknowledges that the planning committee considered an application in close proximity to the application site recently and, to be consistent, it would be best for this application to follow a similar pathway.

### 3.0 PLANNING HISTORY

3.1 On-site - There is no relevant planning history on the application site.

3.2 Off-site - Appleyard Farm, Houghtons Lane, Isleham - There is an extant planning permission for 1No. dwelling further east along Houghtons Lane at Appleyard Farm, approved in December 2015. There is also an outline planning application for 2 dwellings which is currently pending consideration at Appleyard Farm and being considered at the same Planning Committee meeting on 7<sup>th</sup> June 2017. These planning applications are referenced below:

15/01121/FUL	Proposed four bedroom dwelling	Approved
17/00550/OUT	Proposed for Two 2 storey dwellings, garaging, parking, access & associated site works.	Pending consideration

### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located outside of, but immediately adjacent to, the established development framework for Isleham. The site is located on the north side of Houghtons Lane, which comprises a single-track lane predominantly surrounded by open agricultural fields to the north, east and south.

4.2 There are two detached bungalows (No.4 East Fen Road and No.2 Houghtons Lane) located near to the vehicle junction with Sheldrick's Road, on the north side of

Houghtons Lane. There is also a 1.5 storey farm dwelling (Willow Cottage, No.4 Houghtons Lane) located on the north side of Houghtons Lane, to the eastern end of the single-track road.

4.3 There is a single-storey clunch barn, a two-storey farm dwelling (Appleyard Farm, No.1 Houghtons Lane) and agricultural buildings located on the south side of Houghtons Lane, directly opposite the application site. There is also an extant planning permission (15/01121/FUL) for 1No. dwelling on land to the east of Appleyard Farm which is not yet built. There is a garden to No.1 Sheldrick's Road which is located on the south side of Houghtons Lane, near to the vehicular junction with Sheldrick's Road.

4.4 The application site itself comprises part of an open, agricultural field with hedging and utility poles adjacent to the southern boundary along Houghtons Lane. There is also a shallow ditch adjacent to the southern boundary of the site which is largely hidden beneath undergrowth within the grass verge. This ditch does not connect to a watercourse. A single-storey residential bungalow (No.2 Houghtons Lane) is located immediately adjacent to the west boundary of the application site, with a low-level hedge bordering the application site. The north and east boundaries of the site are open to the agricultural field.

#### 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.

5.1.1 Isleham Parish Council – Objection on grounds:

1. The plans are inaccurate:
  - The plots appear to be inaccurately positioned.
  - They do not include the existing clunch barn (IPC are trying to retain these character features within the village.
  - Doesn't reflect the need to remove the existing hedgerow.
  - Exaggerates the size of the road.
  - Doesn't identify the electricity pylons which are believed to have a detrimental effect on humans.
2. The application is outside of the villages development envelope and takes no account of the proposed Local Plan.
3. Houghtons Lane is no more than a simple, single-track, agricultural farm roadway. It is already in a very poor condition, does not include any street lighting and therefore simply does not fit for the additional traffic resulting from this proposed development.
4. The houses are not aesthetically interesting.
5. 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.

6. Approval of any houses on this particular site would almost certainly result in further applications being made.
7. This would have a detrimental effect on the local, natural environment.
8. The development doesn't protect the amenities and services of the neighbouring properties.
9. The development would overlook existing houses to the south and therefore result in a loss of privacy.

5.1.2 Ward Councillors - No Comments Received.

5.1.3 Middle Fen and Mere Internal Drainage Board – The application for development is outside the Middle Fen and Mere Internal Drainage District. The Board therefore have no comment to make.

5.1.4 Local Highways Authority – Original response - No objections in principle to the application. Recommend conditions are appended to any grant of planning permission in respect of access drainage and installation of a new footway the length of the development to connect to the existing highways footway.

Additional response - There appears to be an existing issue with surface water drainage along Houghtons Lane. It has been suggested that there is a ditch within the grass verge for highways surface water drainage. There is no running water, although some of the verge is used for filtration drainage. The creation of a footway would not be detrimental to highway drainage, if the following measures were installed within the highway verge:

- Installation of a highways surface water (French drain) drainage system to the rear of the footway. To consist of a perforated pipe and kerb gully channels (spaces appropriately) leading to discharge pipe runs to a perforated pipe the length of the footway. The details of this should be approved during the footway installation and be as per CCC standards - HERS 2013.

5.1.5 CCC Growth & Development - No Comments Received.

5.1.6 Environmental Health - Due to the proposed number of dwellings, advise that construction times and deliveries during the construction phase are restricted to the following:

08:00-18:00 Monday-Friday

08:00-13:00 Saturdays

None on Sundays, Bank Holidays or Public Holidays.

Accepts the findings of the Phase 1 Desk Study and Preliminary Risk Assessment report. The report recommends a limited soils investigation and soil gas testing. Therefore, advises that planning conditions are appended to any grant of planning permission requiring an appropriate contamination assessment to be carried out.

- 5.1.7 Waste Strategy (ECDC) - East Cambs 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. East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles.
- 5.1.8 Trees Officer - This proposal is for three dwellings on existing agricultural land. There are some insignificant trees on the boundary of the verge with Houghtons Lane potentially affected. No tree details have been supplied. Does not formally object as no significant trees are impacted. However, raises concerns that the proposal will have a negative impact upon the landscape character of the area which would be in conflict with guidance within the local plan (ENV1: Landscape and settlement character). If the application is to be approved, recommends a full Landscaping Scheme with associated Landscaping Maintenance Schedule to be submitted under condition of planning approval (Conditions LS1A & LS3A), to ensure an effective design that accommodates the development within the landscape.
- 5.1.9 UK Power Networks - No Comments Received.
- 5.1.10 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.
- 5.2 Neighbours – A site notice was displayed near the site and 4 neighbouring properties were notified. An advert was also placed in the Cambridge Evening News advertising the application as a departure from the development plan. Objection letters have been received from the occupiers of 7 nearby properties and the responses received are summarised below. A full copy of the responses are available on the Council's website.
- Application is outside of the development envelope and infill locations within the village.
  - Extreme inaccuracy in both site location plan TAB215-01-697783 and plan as proposed TAB255-03-697725.
  - Road and junction is primarily for agricultural use and not fit / safe for the proposed additional traffic. The roads are very narrow and would create highway safety issues. Increase likelihood of cars reversing out of Houghtons Lane onto Sheldrick's Road.
  - The Local Highway Authority has previously stated they would not be prepared to fund the construction of a standard carriageway along Houghtons Lane.
  - The road is prone to localised flooding. Houghtons Lane is a single-track road, which is in poor condition and frequently floods at the Sheldrick's Road end due to poor drainage.
  - Removal of an established and wildlife rich hedgerow of over 20m in length and detrimental effect on wildlife.
  - Site is located directly below and adjacent to electricity pylons and transformers, potential health risks and EMF risks.
  - Detrimental effect to property, rural aspect and privacy of No.1 Sheldrick's Road.
  - Change of landscape from rural to urban.

- No street lighting, security and safety risk as family homes. No pedestrian access on both sides of Houghton Lane.
- Proposed dwellings are not of high quality, fitting to the area or well balanced.
- The proposed housing does not meet the current demand for houses as there are already a number of 3 bed properties for sale in Isleham.
- The proposed development should be related to planning application 17/00223/FUL.
- Inaccurate / inconsistent details provided in the application for planning permission documentation.
- Inaccurate / inconsistent details provided in the planning and design statement.
- Alleged financial interest of nearby properties.
- Isleham is a small village with only one village shop and one school. School capacity in Isleham is already full to capacity and parking within the village centre, near churches and the co-op is already at a premium.
- Concerns regarding utilities. Existing issues with sewage system.

## 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
ENV 1	Landscape and settlement character
ENV 2	Design
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

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 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment

## 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.

## 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 3 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 adjacent to, the established development framework for Isleham, well-related to existing residential properties. Houghtons Lane is a 30mph speed limit road which is very lightly trafficked. The proposed development would provide a new footpath adjacent to the front of the application site which would connect to the existing footpath located along a small section of Houghtons Lane. The proposed development would therefore provide 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 site is considered to be in a sustainable location.

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.

## 7.3 Character and appearance of the area

7.3.1 The location, sizes of the plots, and the scale and design of the proposed bungalows, would relate well to, and appear in keeping with, the existing plot sizes and bungalows located nearby to the west of the site on Houghtons Lane, Sheldrick's Lane and East Fen Road. It is therefore considered that the proposed development takes into account the existing character of the locality and the nearby housing densities.

7.3.2 As the application site is located within an edge of settlement location, the layout, scale, form, design and materials of any development should protect, conserve and where possible enhance existing landscape features and the visually sensitive settlement edge. Although it is accepted that the proposed dwellings would be visible within the surrounding rural landscape, the application site is not isolated and is located within close proximity to existing dwellings and built forms. Due to the physical relationship with existing residential dwellings, and taking into account that

the proposed dwellings would not extend beyond the built form that already exists in the vicinity of the site, it is considered that the addition of 3No. modestly sized single-storey dwellings as is proposed, would not be visually intrusive upon the character and appearance of the surrounding area.

7.3.3 The application form states that the proposed bungalows would be constructed of brickwork with pantile roofs, of a type and colour to match existing neighbouring properties. No specific details of materials have been submitted with the application, however a condition could be appended to any grant of planning permission requiring these details to be agreed with the Local Planning Authority prior to any above ground construction, in order to ensure that the final appearance of the proposed dwellings is acceptable.

7.3.4 On balance, it is considered that the proposal will not significantly or demonstrably harm the settlement edge, and subject to appropriate materials and an appropriate soft and hard landscaping scheme being agreed with the Local Planning Authority, the proposed development complies with Policies ENV1 and ENV2 of the Local Plan 2015.

#### 7.4 Residential Amenity

7.4.1 The application site is located immediately adjacent to the east boundary of an existing residential bungalow (No.2 Houghtons Lane). Plot A of the proposed development would be located immediately adjacent to this neighbouring property and the proposed bungalow would be sited generally in line with the existing bungalow of No.2 Houghtons Lane. The proposed bungalow to Plot A would be distanced 2.4m from the west boundary with, and 8.4m from the existing dwelling of, No.2 Houghtons Lane at its closest point. Furthermore, the proposed bungalows would be single-storey, with modest heights of 5m at the ridge and 2.5m at the eaves. Due to the modest heights and single-storey nature of the proposed bungalows, in addition to their distances from existing residential properties, the proposed dwellings would not create a significant overbearing impact, a significant loss of light or create an unacceptable level of overlooking upon the existing neighbouring properties. The proposal will therefore adequately protect the residential amenity of neighbouring properties, in accordance with Policy ENV2 of the Local Plan.

7.4.2 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 Highway safety

7.5.1 The proposed development would create 3 new vehicular accesses off the north side of Houghtons Lane and would also provide an extension to the existing public footpath on the north side of Houghtons Lane, along the full frontage of the 3 proposed dwellings. Houghtons Lane is a 30mph speed limit road with minimal traffic. The Local Highway Authority has no objections to the application but

recommend conditions are appended to any grant of planning permission regarding access drainage and installation of the new footway. These recommended highway conditions are considered reasonable and could be appended to any grant of planning permission. It is therefore considered that the proposed development would not create a detrimental impact in respect of highway safety, in accordance with Policy COM7 of the Local Plan 2015.

7.5.2 Concerns have been received regarding the impact of the proposed development and the proposed public footpath extension on drainage of surface water from Houghtons Lane. It is believed that surface water drainage from the road is currently aided by the ditch adjacent to the front of the site. The Planning Officer has sought clarification from the Local Highway Authority as to the ownership of the ditch. The Local Highway Authority has provided a map which confirms the highway verge and ditch to the front of the site is within the ownership of the Local Highway Authority. The Local Highway Authority has provided an additional response following concerns raised about the drainage of surface water from the road. The additional response states that the creation of a footway would not be detrimental to highway drainage, if the following measures were installed within the highway verge:

- Installation of a highways surface water (French drain) drainage system to the rear of the footway. To consist of a perforated pipe and kerb gully channels (spaces appropriately) leading to discharge pipe runs to a perforated pipe the length of the footway. The details of this should be approved during the footway installation and be as per CCC standards - HERS 2013.

7.5.3 The applicant has been advised of the above footpath construction requirements and has agreed to the footpath being constructed to the Local Highway Authority's recommended specification.

7.5.4 The proposed development would accommodate two vehicle parking spaces within each plot, in accordance with Policy COM8 of the Local Plan 2015.

## 7.6 Ecology

7.6.1 The proposal includes the removal of some of the hedging along the south boundary of the site to accommodate the vehicular access to each dwelling. The Council's Tree Officer has been consulted on the application and considers the trees and vegetation on the site to be insignificant. The Tree Officer does not object to the application, however concerns have been raised regarding impact upon the landscape character of the area.

7.6.2 The application site predominantly comprises an open agricultural field which appears to be intensively farmed and unlikely to provide a significant ecological habitat. The site is bordered to the south and west by hedging. There is also a shallow ditch present beneath the hedging to the south of the site, however this is not a watercourse.

7.6.3 Concerns have been raised by occupiers of neighbouring properties regarding the impact of the proposed development upon local wildlife, however the site does not display any characteristics of being an important ecological habitat. Conditions



could be appended to any grant of planning permission requiring the provision of bird and bat boxes, in addition to soft landscaping, which could provide ecology enhancements.

7.6.4 It is therefore considered that the proposal accords with Policy ENV7 of the Local Plan.

#### 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 Local Planning Authority. Due to the site lying within an area of archaeological potential, this recommended condition is considered to be reasonable.

#### 7.8 Flood Risk

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, Policy ENV8 of the East Cambridgeshire Local Plan 2015 states that new development should normally be located in Flood Risk Zone 1.

7.8.2 Concerns have been raised from neighbouring occupiers regarding flood risk and drainage issues. However, 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. The application form states that surface water would be disposed of via soakaways. No details of the proposed soakaway have been submitted with the application, however a planning condition could be appended to any grant of planning permission prior requiring drainage details to be agreed with the Local Planning Authority prior to commencement of any development.

7.8.3 It is therefore considered that the proposal would not create any detrimental impacts in respect of flooding, in accord with Policy ENV8 of the Local Plan.

#### 7.9 Planning Balance

7.9.1 The benefits of the proposal are the provision of 3 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. These benefits attract significant weight in favour of the proposal in the planning balance.

7.9.2 Although the proposed development would have some impact upon the character and appearance of the area, the scale and appearance of the proposed bungalows have been sensitively designed to prevent significant and demonstrable harm being caused to the character and appearance of the area. Furthermore, subject to appropriate conditions, the proposed development would not give rise to any

unacceptable impacts in relation to residential amenity, highway safety, ecology, archaeology or flood risk.

7.9.3 On balance, it is considered that any adverse impacts would not significantly and demonstrably outweigh the benefits of the development and the proposal is therefore accords with the presumption in favour of sustainable development as set out in the National Planning Policy Framework. The proposal is therefore recommended for approval.

## 8 APPENDICES

### 8.1 Appendix 1 – Planning conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00222/FUL	Richard Fitzjohn Room No. 011 The Grange	Richard Fitzjohn Planning Officer 01353 665555 richard.fitzjohn@ea stcambs.gov.uk
17/00223/FUL	Ely	
15/01121/FUL		

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

East Cambridgeshire Local Plan 2015 -  
<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 17/00222/FUL Conditions

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

Plan Reference	Version No	Date Received
TAB255-SK01C	D	12 <sup>th</sup> May 2017
TAB255-SK03B	B	13th April 2017
TAB255-01C	C	12th May 2017
TAB255-SK04		13th April 2017
TAB255-SK02D	D	13th April 2017
TAB255-02		13th February 2017
PHASE I DESK STUDY		22nd February 2017
PLANNING AND DESIGN STATEMENT		13th February 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning

Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 5 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation of any of the hereby approved dwellings, a new footway shall be installed the length of the development to connect the existing highways footway as per drawing no. TAB255-SK03B Revision B and constructed in accordance with the details specified on drawing no. TAB255-SK01C Revision D.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Prior to first occupation of any of the hereby approved dwellings, the proposed on-site vehicle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and thereafter retained for that specific use.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 10 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of the hereby approved dwellings.
- 10 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 Prior to first occupation of the hereby approved dwellings, a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include driveway surfacing materials. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 13 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 14 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00am - 18:00pm each day Monday-Friday, 08:00am - 13:00pm Saturdays and none on Sundays or Public Holidays.
- 14 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 15 Prior to any work commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for construction traffic. This shall include, but not be limited to, aspects such as access points, parking and turning for deliveries and site vehicles. The CEMP shall be adhered to at all times during all phases.
- 15 Reason: In the interests of highway safety and residential amenity, in accordance with policies COM7, COM8 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.