

## **PLANNING COMMITTEE MINUTES**

Minutes of a Meeting held in the Vernon Cross Room, Ely Museum, Market Street, Ely on Wednesday 27 April 2011 at 2:00pm.

### **PRESENT**

Councillor Philip Read (Chairman)  
Councillor Sue Austen (as Substitute for Councillor John Abbott)  
Councillor Derrick Beckett  
Councillor David Brown  
Councillor Christine Bryant  
Councillor Anthea Davidson  
Councillor Lavinia Edwards  
Councillor Jeremy Friend-Smith  
Councillor Peter Moakes  
Councillor James Palmer  
Councillor Jackie Petts  
Councillor Mike Rouse  
Councillor Gareth Wilson

### **OFFICERS**

Sarah Burns – Senior Legal Assistant  
Alan Dover - Principal Development Control Officer  
Sue Finlayson - Team Leader Development Control  
Giles Hughes – Head of Planning & Sustainable Development  
Yvette Mooney – Planning Officer  
Rebecca Saunt – Planning Officer  
Adrian Scaites-Stokes – Democratic Services Officer

### **ALSO IN ATTENDANCE**

Councillor Anna Bailey  
Councillor Ron Bradney  
Councillor Allyson Broadhurst  
Councillor Sheila Friend-Smith  
Councillor Tony Goodge  
22 members of the public

## 82. **APOLOGIES AND SUBSTITUTIONS**

Councillor Sue Austen substituted for Councillor John Abbott for this meeting.

## 83. **DECLARATIONS OF INTEREST**

Councillor Sue Austen declared a personal interest in agenda item number 6, as she was a 'Friend of Jubilee Gardens'.

Councillor Jeremy Friend-Smith declared a personal interest in agenda item number 6, as he was also a 'Friend of Jubilee Gardens'.

Councillor Jackie Petts declared a personal interest in agenda item number 6, as was a member of the Ely Perspective's Group.

Councillor Mike Rouse declared a prejudicial interest in agenda item number 7, as was also a member of the Ely Perspective's Group and was also a City of Ely Councillor.

84. **MINUTES**

It was resolved:

That the minutes of the meeting held on 6 April 2011 be confirmed as a correct record and be signed by the Chairman.

85. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that this would be the last Planning Committee before the forthcoming District Council elections. He thanked everybody for their perseverance and the officers in helping things run smoothly.

86. **11/00192/FUL – HOPE HALL, HOPE HALL STUD, BRINKLEY ROAD, DULLINGHAM**

The Principal Development Control Officer, Alan Dover, presented a report to the Planning Committee, (K328) previously circulated, which gave details of the application, the applicant's case, the site and its environment, planning history and relevant planning factors and policies.

The Principal Development Control Officer advised the Committee that there was some 'housekeeping' in that since the publication of the report more submissions had been received and these had been circulated. A revised recommendation was made, that the planning application be recommended for approval with the final decision delegated to the Head of Planning and Sustainable Development and Head of Legal Services, subject to amendment to the Section 106 agreement to allow access from the site onto Dullingham Ley.

The Committee was advised about the reasons for the application, the circumstances and planning history of the site and the relevant planning issues that had to be taken into consideration. On balance the application was recommended for approval subject to the conditions detailed in the report.

At the invitation of the Chairman, Mr John Broker spoke against the application and made the following comments:

- A traffic survey indicated that, at peak times, 14 vehicles per hour would use Dullingham Ley. This would be 44% higher than suggested.
- This figure did not include pedestrian movements.
- This traffic would be generated by staff, vets, horse movements, farriers and others moving in and out of the stud. This would be a safety issue.
- Dullingham Ley was narrow and would not allow vehicles to pass.
- It was inadequate for current traffic.
- Additional traffic could possibly damage the road.
- The proposed passing bays could be used for parking.

At the invitation of the Chairman, Keith Owen spoke on behalf of Dullingham Parish Council and made the following comments:

- There were significant concerns from Dullingham and other villages, as vehicles would go through these places.
- Previous consent had been given to allow access from Brinkley Road only.
- Dullingham Ley was only a single track and it could become impassable in winter.
- A 'safer route to school' had been created and the vehicles would come along this route.
- So there were concerns over the potential increase in traffic, as heavy goods vehicles would have an impact.
- The alterations to the road layout were inaccurate.
- It would be detrimental to the highway network and the village and other areas.
- If the application were refused it would not affect the business of the stud.

The Committee asked a number of questions, so Mr Owen made the following responses:

- Dullingham Ley was twisty and bendy so it would probably not be possible to see one passing place from another.
- It would be difficult for vehicles to reverse up this single track.
- It would be difficult to widen the track.
- The route the vehicles would take would go through Dullingham, past the school, up the hill and then onto Tattersalls in Newmarket.
- There was a second possible exit on Brinkley Road, to the south of the main exit.
- The Ley road was falling away due to the traffic using it. The Parish Council had tried to contain the amount of traffic using that road.

Councillor James Palmer was unconvinced by the traffic argument but pointed out that the stud had received previous permission subject to no access off Dullingham Ley. However he was concerned over the legal situation if this application were turned down.

The Head of Planning and Sustainable Development advised that there would be some risk of costs in objecting on highways grounds against the advice of the Highways Authority. However there were issues over the impact of the proposal on the character of Dullingham Ley and the area which Members could consider. Focussing on those issues could reduce the risk at appeal.

Councillor Anthea Davidson reminded the Committee that the previous permission had no access into Dullingham Ley. The Highways opinion was advisory only and this was challenged previously, so could be challenged again. Dullingham Ley had too much traffic using it already and it would be unacceptable to have more. Therefore this access should not be given.

Councillor Derrick Beckett agreed that the Highways was only a consultee. The Ley could be used for traffic but that did not mean that it should be. Originally there was no vehicular access via the stud and there was no reason to change that. Additional access would spoil what was a green lane. This application should therefore be rejected.

Councillor Mike Rouse was worried about the impact on Stetchworth Road and thought that a possible alternative access could be given via Brinkley Road.

Councillor Anthea Davidson proposed that the officer's revised recommendation for approval be rejected, as the proposal would be contrary to Policy S6 in relation to amenity and the character and appearance of the area. This was duly seconded and, when put to a vote, was declared carried.

Councillor Anthea Davidson then proposed that the application be refused for the reasons previously stated, subject to the precise wording being delegated to the Head of Planning and Sustainable Development. This was duly seconded and, when put to the vote, was declared carried.

It was resolved:

That the officer's recommendation for approval, as revised, be rejected because approval would be contrary to Policy S6.

It was further resolved:

That planning application reference 11/00192/FUL be REFUSED as it would be contrary to Policy S6, relating to amenity, character and appearance of the area, with the precise words explaining the reasons for refusal being delegated to the Head of Planning and Sustainable Development.

87. **11/00118/FUL and 11/00173/LBC – THE MALTINGS COTTAGE. 68 QUAYSIDE, ELY**

The Team Leader Development Control, Sue Finlayson, presented a report to the Planning Committee, (K329) previously circulated, which gave details of the application, the applicant's case, the site and its environment, planning history and relevant planning factors and policies.

The Planning Officer presented some 'housekeeping' issues, as further letters had been received plus further comments from the City of Ely Council, English Heritage and Environmental Health. The Ely Perspective had also submitted a Discussion Document. This had been circulated prior to the meeting. The Committee was reminded that the Listed Building Application would have to go to the Government Office for ratification.

The Committee was advised about the reasons for the application, the circumstances and planning history of the site and the relevant planning issues that had to be taken into consideration. On balance the application was recommended for approval subject to the conditions detailed in the report.

At the invitation of the Chairman, Liz Wainwright spoke against the application and made the following comments:

- The application would be a fundamental change to the design of the building with an unnecessary extra window and door.
- The newly proposed gated entrance would open out onto the narrowest part of the public footpath.

- There was already adequate car parking spaces in Ship Lane so the two spaces proposed would not be necessary. Use of these spaces would create noise problems for those houses in front of the Maltings.
- There would be an impact on the surrounding countryside. An assurance was sought that the beech hedge would be protected and not be reduced in height.

At the invitation of the Chairman, Jane Howell read a statement on behalf of Mr Ted Coney against the application which made the following points:

- The Maltings had been given to the people of Ely on the condition that it was a public place.
- The Ely Perspective group had forwarded other options for this building and these should be looked at again.

City Councillors Brian Ashton and John Yates were invited to speak by the Chairman but they had nothing to add to the City Council's written submission.

At the invitation of the Chairman, Councillor Allyson Broadhurst made the following comments:

- The use of this building and its renovation were two separate issues and it should not be allowed to fall into disrepair.
- The cottage was part of the Maltings and was for public use, so it should be accessible for the benefit of the public.
- The question was whether the intended use was appropriate or timely.
- The proposal should be rejected as it specified the use of public money but with no guarantee of any income.
- The Council also had no experience in the management of letting property.
- Letting this building would deny the public its use.
- Other possibilities for its use should be investigated.

Councillor Tony Goodge thought that better uses for the building could be found, as many businesses could go in there. The building should be kept as it was, so that the character of the area was not spoiled. Any lowering of the wall would affect its security. He was against this application.

Councillor Gareth Wilson agreed that the building was in a terrible state. Taking on holiday lets was not the job of the Council, as it had no experience in this, so this would be a risk. It would also not then be a public building. Other uses should be looked at.

Councillor Jeremy Friend-Smith thought that the renovations would be a great improvement on the current eyesore, but it would be rash to spend money on expensive renovations. The cottage had never been accessible to the public and had been given to the Council.

The Head of Planning and Sustainable Development reminded the Committee that financial implications were not matters the Committee should take into consideration, nor possible alternative uses. Planning issues such as the impact of any change on the area were legitimate matters for consideration.

Councillor Mike Rouse appreciated that the building had to be made sound, but was concerned about the holiday lets proposal. The issue over the building's

use had been going on for a long time, but he thought the Ely Council should be involved.

Councillor Derrick Beckett reminded the Committee that the cottage was in a state of disrepair, as it had not been used. This application would make it useable and so should be approved.

Councillor James Palmer noted that some of the issues discussed had not been planning matters. He also had been shocked at the condition of the cottage but liked the proposals for it, inside and out. He therefore recommended approval, as per the officer's report.

Councillor Anthea Davidson, in seconding the proposal, stated that the cottage had originally been two dwellings, so from a conservation point of view, it would be good to put them back to their original design. Holiday letting was fairly easy to do, so there should be no problems with that.

A request was made for a recorded vote and the voting went thus:

FOR: 7 – Councillors Derrick Beckett, David Brown, Anthea Davidson, Lavinia Edwards, Peter Moakes, James Palmer and Philip Read.

AGAINST: 5 – Councillors Sue Austen, Jeremy Friend-Smith, Jackie Petts, Mike Rouse and Gareth Wilson.

ABSTAIN: 1 – Councillor Christine Bryant.

The proposal was therefore declared carried.

It was resolved:

That the planning applications 11/00118/FUL and 11/00173/LBC be APPROVED subject to:

- the conditions set out in the officer's report;
- the ratification of the Listed Building Application by the Government Office in Birmingham; and
- the decision on that application being delegated to the Head of Planning and Sustainable Development.

*Councillor Mike Rouse left the meeting at this point.*

**88. 10/01037/FUL – ELY CEMETARY, NEW BARNS ROAD, ELY**

The Planning Officer, Rebecca Saunt, presented a report to the Planning Committee, (K330) previously circulated, which gave details of the application, the applicant's case, the site and its environment, planning history and relevant planning factors and policies.

The Planning Officer advised that further comments had been received from Highways and the City of Ely Council. The Committee was advised about the reasons for the application, the circumstances and planning history of the site and the relevant planning issues that had to be taken into consideration. On

balance the application was recommended for refusal for the reason detailed in the report.

At the invitation of the Chairman, City Councillor Brian Ashton made the following comments:

- The City Council had appointed consultants, who had looked at two sites.
- An application had been made for a store on the proposed site, but this had been reviewed.
- To maximise the effectiveness in economy of services it was considered better to co-ordinate services from one site, which would also increase the capacity of those services.
- No sites near the city centre, other than the one proposed, were available or affordable.
- The new site would become more central following the predicted population growth and would be on a new bus route.
- Car parking would also be available for those visitors travelling in.
- The release of the current site would give the opportunity for other uses, such as employment.
- The proposed site offered advantages over the existing.

At the invitation of the Chairman, Councillor Allyson Broadhurst made the following comments supporting the application:

- The provision of services from the workshop on the cemetery boundary would be better than existing.
- It would be a good use of public money.
- The current buildings were not good for public access.
- It would be better for services to be delivered from one site.

At the invitation of the Chairman, Councillor Ron Bradney made the following comments:

- If approved, this would be a win/win for the City Council and the district's citizens.
- It would benefit the citizens by providing parking, a private interview room, being close to the new bus route and by improving the High Barns area.
- It was a logical choice to move offices.

Councillor Jackie Petts liked the idea that the City Council should move but the building would not be a tribute to the city. Councillor Gareth Wilson agreed, stating that the proposed council office building looked like a workshop and was not impressive. Therefore the application could not be supported. Councillor James Palmer called the proposed building 'ugly' and did not think it would work.

Councillor Jeremy Friend-Smith reminded the Committee that the proposed building would be in a conservation area, so it should enhance the area and not detract from it. He was also uneasy about the attempt to redefine the city centre, as this site was not close.

Councillor Anthea Davidson stated that the City Council had to go through a sequential test of potential sites, but there was no evidence this had been done. From a design and heritage point of view, the proposed building was nothing more than a tin shed and could not be supported.

After being proposed and seconded, the officer's recommendation for refusal was agreed.

It was resolved:

That planning application 10/01037/FUL be REFUSED for the reason as set out in the officer's report.

*Councillor Mike Rouse returned to the meeting.*

89. **10/01036/FUL – LAND BETWEEN 10 AND 12 GRAVEL END, COVENEY**

The Planning Officer, Yvette Mooney, presented a report, (K331) previously circulated, which gave details of the application, the applicant's case, the site and its environment, planning history and relevant planning factors and policies.

The Committee was advised about the reasons for the application, the circumstances and planning history of the site and the relevant planning issues that had to be taken into consideration. On balance the application was recommended for approval subject to the conditions detailed in the report.

At the invitation of the Chairman, Mr and Mrs Sore spoke against the application and made the following comments:

- Gravel End had modest housing and the houses were spaced out in good sized plots.
- This application sought to cram two houses where there was room only for one. The houses would be too close together.
- Other applications for a large house had previously been rejected.
- The houses would be overbearing.
- The street scene would become more urban looking. This was a rural location so this proposal was inappropriate.
- This application should be refused.

Councillor Anna Bailey stated that the site was controversial as it had seen many applications. In 2009 a single dwelling had been granted permission but the applicant had attempted to modify the permission. This would still be an overdevelopment of the site. The site was located on the edge of a rural village and the character of the area needed to be retained. This proposal would result in overbearing properties out of keeping with the well-spaced existing dwellings. The previous application had been rejected on appeal due to the impact on living conditions and the character and appearance of the street scene. There would be a height disparity between the buildings and the new dwellings would fill the whole width of the site. They would be highly intrusive so the application should be refused.

Councillor Tony Goodge thought that the footprint of the proposed building would be similar to that of the previous applications substantial building. The heights of the ridges, particularly for Plot 2, would be overbearing. This would detract from a nice property nearby.

At the invitation of the Chairman, Mr David Norman spoke in support of the application and made the following comments:



- The density of this development would only be 24 dwellings/hectare, which would be well below national requirements.
- An appeal had been heard on a previous application for a much larger building.
- The amount of daylight dwellings received was not a planning matter.
- The ridge heights were a graduation between house number 10 and 12.
- The application made good use of the plot.

Mr Kerridge, the applicant, was permitted to speak by the Chairman and stated that there had been a few applications for this site and, following consultation with the Council's officers, it was considered that the proposed two dwellings would fit in.

Councillor Anthea Davidson considered the spacing between the four dwellings, including the two proposed ones, showed nothing untoward. The differing roof heights made the street scene more interesting and the proposed designs fitted in. This application was perfectly acceptable.

Councillor James Palmer thought the ridge heights were not a problem and would find it difficult to vote against this application, as it was within planning guidelines.

It was resolved:

That planning applications reference 10/01036/FUL be APPROVED for the reasons and subject to the conditions as set out in the officer's report.

The meeting finished at 4:51pm.