



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a remote meeting of the Planning Committee held at 2:40pm on Wednesday 3<sup>rd</sup> March 2021, facilitated by the Zoom video conferencing system.

### **P R E S E N T**

Cllr Bill Hunt (Chairman)  
Cllr Christine Ambrose Smith  
Cllr Sue Austen  
Cllr David Brown  
Cllr Matt Downey  
Cllr Lavinia Edwards  
Cllr Alec Jones  
Cllr Josh Schumann  
Cllr Lisa Stubbs (Vice Chairman)  
Cllr John Trapp  
Cllr Gareth Wilson

### **OFFICERS**

Angela Briggs – Planning Team Leader  
Maggie Camp – Legal Services Manager  
Barbara Greengrass – Planning Team Leader  
Anne James – Planning Consultant  
Andrew Phillips – Planning Team Leader  
Rebecca Saunt – Planning Manager  
Adrian Scaites-Stokes – Democratic Services Officer  
Angela Tyrrell – Senior Legal Assistant  
Russell Wignall – Legal Assistant

### **I N A T T E N D A N C E**

Cllr Charlotte Cane (agenda item 7)  
Cllr Lorna Dupre (agenda items 6 and 8)  
Cllr Mark Inskip (agenda item 8)  
Cllr Allan Sharp (agenda item 9)  
Mike Rose (agenda item 5)  
Paul Hill (agenda item 5)  
Rob Hill (agenda item 5)  
Simon Parfitt (agenda item 5)  
Parish Cllr Charles Warner (agenda item 5)  
Dr McGrath (agenda item 7)  
Phil Grant (agenda item 7)  
Parish Cllr Jon Ogborn (agenda item 7)  
Charles Linsey (agenda item 8)  
Diana Bray (agenda item 8)  
Edward Clarke (agenda item 8)  
Kate Duvall (agenda item 8)  
Parish Cllr Lorna Williams (agenda item 8)  
Chris Anderson (agenda item 9)  
Parish Cllr Lily Whymer (agenda item 9)

## **73. APOLOGIES AND SUBSTITUTIONS**

There were no apologies for absence nor any substitutions.

#### **74. DECLARATIONS OF INTEREST**

Cllr Jones declared a personal, non-prejudicial, interest in agenda item 5 as he lived near to the site in question.

#### **75. MINUTES**

It was resolved:

That the Minutes of the Planning Committee meeting held on 3<sup>rd</sup> February 2021 be confirmed as a correct record and be signed by the Chairman.

#### **76. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- Members were reminded about the use of calling in planning applications, large applications or those that divided community opinion would be always considered by the Planning Committee. An application called in to the Committee incurs costs of approximately £1000, so the call-in option should be used sparingly after discussion with planning officers, particularly when dealing with small household matters.
- Today's meeting had been moved to a 2:30pm start but this was a one-off situation and future meetings would revert to the normal time.

#### **77. 19/00717/OUM – BROAD PIECE, SOHAM**

Barbara Greengrass, Planning Team Leader, presented report V137, circulated previously, concerning the proposal to erect up to 175 dwellings and associated infrastructure with access from Broad Piece.

The Planning Team Leader reminded the Committee that an update sheet with further neighbour comments received, after the report had been written, had been circulated. This application was an outline application for up to 175 dwellings, with 30% to be affordable housing and 5% to be self-build. All matters were reserved except for the access to the site. House number 12 Broad Piece would be demolished to allow access to the site. The site was open land with residential properties to its south and east boundaries, with drainage and a public right-of-way to the north of the site.

The proposal gave an indicative layout of the site, which totalled 10.83 hectares. The dwellings would be constrained to the east of the site due to a substantial 'cordon sanitaire', because of the sewage treatment works to the west of the site. This represented a considerable restraint to development. As a result of this constraint there would be a large open space in the west of the site comprising 6.19 hectares, 58% of the site, with an attenuation pond.

##### **Principle of Development**

The Council had more than 5 years land supply for development. The site was outside the defined development envelope of Soham. The proposal conflicted with policy GROWTH2, which had to be given full weight when considering this application.

### Visual Amenity

Density was on the high side but there was a significant buffer proposed to the west of the site. The number of dwellings to be built was not fixed at 175 and would be defined at the reserved matters stage. The developers' assessment set out proposed mitigations. The impact statement included mention of hedges and other mitigations so the overall landscape character impact was expected to be small. The most prominent view was from the north, but the houses would be seen against a backdrop of existing residential development and high quality structural planting would ensure that the visual amenity would not be conflicted.

### Residential Amenity

This would be fully assessed at the reserved matters stage. However, the indicative plan submitted does show the development could be achieved respecting the residential amenity of the adjoining properties. The expected increase in traffic was not considered to be harmful. The impact of increased noise could be mitigated. The assessment submitted concludes that the residents of the future development will not be exposed to odour levels which will compromise their amenity. So in terms of residential amenity the proposal would accord with policies ENV2 and ENV9.

### Access and Highway Matters

The proposed access had been accepted by the Highways Department, but the anticipated increase in traffic would mean as part of the proposal a widening of Broad Piece in a specified section. The increase in width of the carriageway, with the width increase of the pathway, would mostly affect properties on the south side of the road, properties 5 and 5d Broad Piece. The application was accompanied by a Transport Statement and the proposed development was considered acceptable in terms of the existing highway network subject to mitigation measures, as shown in paragraphs 7.5.12 and 7.5.13 of the report. This would then comply with policies ENV2 and COM8.

### Flooding and Drainage

Foul – a pumping station is proposed which will feed into the treatment works and Anglian water are satisfied. Flooding did occur on this site, however, the Lead Local Flood Authority are satisfied that the proposed surface water drainage scheme will improve the situation for existing residents. The Lead Local Flood Authority are content that the proposed scheme is acceptable. More details would be required as part of any planning permission, by way of conditions.

### Ecology and Archaeology

The proposed mitigations were considered satisfactory to ensure a net gain in biodiversity and subsequently comply with policies ENV7 and ENV14 and the Natural Environment SPD.

### Other Matters

The educational contribution had been agreed and would be secured by a s106. Affordable housing and self build are policy compliant and the proposal is in line with the climate Change SPD.

### Conclusion

Although the Council had a 5-year land supply, the up to 175 new homes would provide some benefit. However, the application should not be allowed as it

conflicted with the locational strategy as set out in policy GROWTH 2 of the Local Plan, which would outweigh any potential benefit. Therefore, the application was recommended for refusal.

The Chairman then invited Mike Rose to make his objections. During his statement the following points were made:

- Broad Piece was narrow particularly to the west and unsuitable for an increase in traffic.
- The applicants' traffic survey was out-of-date.
- There was a known speeding problem in Broad Piece and the proposed traffic calming would not reduce this problem.
- Street lighting was poor.
- Walkers, cyclists and horse riders' safety would be detrimentally affected.
- Vibration and noise would affect properties on either side.
- The proposed entrance would not contribute to sustainable car transport.
- The proposed road widening would be unsympathetic to residents to the south of it and would impinge on their property and safety.
- Highways preference to relocate the entrance elsewhere has not been followed by the applicant.
- Highways safety would be impacted by the extra traffic generated.
- Although residents and current landowners had co-operated in a temporary solution to flooding issues, the applicant proposals would make the existing drainage less effective.
- Following residents' objections, the applicant added a shallow depression but there was no indication how effective that would be.
- The Lead Local Flood Authority and local drainage board recommended more comprehensive arrangements than that proposed by the applicant.
- The applicant had been aware of drainage issues for several years but there was no confidence the applicant would resolve those problems.
- The development would not bring any advantages to an already overdeveloped Soham.

Cllr Downey noted that the statutory consultees had told the Council one thing but this was differed to what residents were stating. The Lead Local Flood Authority stated the flood water management scheme was sufficient. So why was this disagreed? Mr Rose replied that the Lead Local Flood Authority had posted to the planning portal website, at the start of the year, and had recommended changes stating that the depression had to be piped to pump the water away from the field, but this had not appeared in the applicant's documentation.

Cllr Jones asked whether there would be any benefit in widening the road and pathway. Also, had the drainage scheme put in by local residents helped? Mr Rose reminded the Committee that the road was narrow all the way along so widening it at one point would not be beneficial. Increasing the width by 1 metre would mean some residents losing their parking spaces. The drainage scheme had proved beneficial.

Cllr Trapp questioned whether the flooding occurred mostly on the road, except for the south east part and how effective the existing drains were. Mr Rose explained that the water flowed into gardens and then across the road. The drains did work but became overwhelmed as there was a problem with field drainage and there had been issues for the last 20 years.

The Chairman then invited Paul Hill, Rob Hill and Simon Parfitt to speak on behalf of the applicant. Simon Parfitt made the following points:

- The site was sustainably sited and had followed Industry Standard Best Practice.
- Appropriate traffic data collection and assessment had culminated in agreement with the County on all matters.
- The widening of Broad Piece would meet relevant design standards and would not adversely affect driveways.
- The wider footway and carriageway would be better for pedestrians and drivers and the carriageway would be suitable to carry much higher traffic levels.
- Each junction between the site and the A142 were forecast to operate comfortably in the future.
- The mitigation package would provide £123,600 funding for use to improving the A142/Fordham Road roundabout and would include off-site pedestrian improvements for access to the school and the Mereside/Julius Martin Lane junction.
- A form of traffic calming had been agreed with the County and the applicant would be happy to add this to its obligations.

Rob Hill made the following points:

- The drainage scheme had been approved in principle by the Lead Local Flood Authority (LLFA), Anglian Water and the Local Internal Drainage Board (IDB), subject to conditions.
- There was an existing flooding issue and this was brought up from the LLFA and IDB.
- The applicant intended to drain over 55% of the water catchment from the south to the north, with the remaining 45% stored before it reached the southern boundary, this would help to protect existing properties.

Paul Hill made the following points:

- There was a lack of technical objection to the proposals from any statutory consultee.
- The recommended refusal of the application related to only one policy and this must be balanced against all relevant material considerations.
- There was an acknowledged lack of significant harm to the setting of Soham and the wider countryside.
- Soham was a highly sustainable settlement where development could be focussed.
- The area of the site had been clearly identified as a broad area of housing.
- There were clear benefits with the provision of 30% affordable housing and 58% of the site as public open space.
- These facts clearly outweighed any policy conflict so the proposal should be approved.

Cllr Schumann stated that, when considering a sensitive and careful layout, houses should not end up in the 'cordon sanitaire', not impact existing business but proposes to include a play area within the 'cordon sanitaire', would it mean that 175 dwellings had to be squeezed into the remaining space? Although this number was only in principle the applicant would likely try to achieve all 175. Why was the access to the site decided on Broad Piece, as both ends of that

road were constrained? The County Council were still looking at traffic calming measures here. In response the Committee was informed that as this was only an outline application no scaling on a definitive layout had been done, but sought to gain the principle of development. The masterplan acknowledged the constrictions but did represent a sympathetic design. Under local and national guidance a suitable access had to be found. This had been found and would be fully up to standard. This would be safe and suitable. The traffic calming measures would address vehicle speeds but not capacity, although the road would be designed to take that capacity.

Cllr Jones considered Broad Piece and Mereside notoriously bad for traffic and with the rail station coming would become worse. So he wondered if other traffic options had been explored, including land acquired by This Land near the roundabout. Mr Parfitt stated that no other options had been considered relating to the access. The developers had considered land options in other directions but this was the proposed access

Cllr Downey noted that there had been a lot of objections centre around fear of flooding, so would the proposed measures be enough? Mr Rob Hill reminded the Committee that the proposal was still only an outline, but the scheme proposed would be able to cope with flooding. This would all be within control of the applicant.

*Cllr Schumann advised the Committee that reference was made to This Land, although he was a Director of This Land he stated that he was not affected by this application, but wanted it noted.*

The Chairman then invited Parish Councillor Charles Warner to speak on behalf of the Town Council. Cllr Warner made the following points:

- Soham Town Council had been concerned from the outset in particular in relation to the Local Plan, road access and land drainage and flooding.
- The road access and footpath were too narrow and were proposed to be widened.
- Widening the road would affect the vehicle parking for number 5 and 5A Broad Piece, where the cars would only be 0.5 metres from the road.
- No-one had considered the British Telecom cable chambers or cables when widening the road.
- The Council could not see how widening the road would improve the situation as it would cause a bottleneck.
- When large agricultural vehicles met heavy good vehicles they had to drive on the pavements or verges.
- Drainage was a great area of concern and attempts had been made by local residents to manage the situation. The developers needed to address this with a detailed scheme.
- LLFA had concerns, so had requested a condition that no above ground works should commence without written consent.
- Issues with exiting properties on Broad Piece needed to be resolved, otherwise the issues would not be assisted by this new development.
- Further work was needed with a full proposal required.
- If this was not done properly then the scheme would not work.
- The proposed children's playground should not be near the sewage treatment works.

- This proposal is not appropriate and should be refused as the Council has a 5 year land supply.

There were no questions for Cllr Warner.

Cllr Stubbs asked why the application had come to the Committee, as it would otherwise have been processed? The Planning Team Leader explained that it was in line with the Council's Constitution.

Cllr Trapp noted that Broad Piece would not be widened at the Kingfisher Drive junction. The Planning Team Leader stated that Highways had assessed and had been satisfied with that proposal.

Cllr Hunt asked whether the extreme north of the site include a pedestrian link to the school and garage. This was confirmed by the Planning Team Leader, who stated that the footpath would be upgraded. Cllr Hunt also wanted to confirm that the density of the proposal would be 15.35 homes per acre, if you take out the cordon sanitaire and the Team Leader confirmed this was correct.

Cllr Brown thought the matter was clear. If the Council had been able to demonstrate a 5-year land supply in 2019 this application would not have been submitted. The application went against policy GROWTH2, so he was totally behind the officer's recommendation for refusal. He therefore proposed that the application be refused in line with the officer's recommendation.

Cllr Downey contended that, as the applicant had noticed, the argument that it was against policy GROWTH2 was not a good reason for refusal as it meets all other policies and provides affordable housing and a biodiversity net gain. This was an outline application and some objections had been raised to it. The site was sustainable, had train and bus links, and would provide some job growth. There was concern about pressure on the roads, but don't see anything in the application that would make this worse than any other proposal. The only conundrum was the objections to flooding, but the LLFA had accepted the proposal. Struggle with refusing this when there are houses on 3 sides of the development and it provides homes for people.

Cllr Schumann agreed with Cllr Brown that the planning officer had got the right recommendation. In addition, there were other reasons for refusal: the impact of flooding and drainage, the significant highways impact and the built form of 175 dwellings would have too much of an adverse impact. The density of the housing in an out-of-town area, in a rural location was not acceptable. The play area in the 'cordon sanitaire' had not been addressed.

Although Cllr Stubbs agreed with both Cllr Brown and Cllr Schumann, she thought for clarity the one reason, it was against the policy, was sufficient, as she was not in complete agreement with the other reasons suggested. If the other reasons were added then if the application went to appeal there was more risk it could be overturned as consultees had not objected. She therefore seconded Cllr Brown's motion.

The Planning Manager reminded the Committee that neither the LLFA nor Highways had raised objections. If the extra reasons were added it could make it difficult to defend against a challenge at appeal. As for the built form, this had

been considered by the officer and was considered acceptable, although it was a subjective matter.

Cllr Jones supported the refusal and thought the applicant should give further consideration to best practice and standards to provide the best housing possible.

Cllr Trapp noted Mr Rose's presentation, that the houses would be 1.7km from the main road, all traffic would have to go through Kingfisher Drive so he was not sure this was a good site for development.

Cllr Schumann then proposed an amendment to Cllr Brown's motion, which was seconded by Cllr Jones. The amendment was to agree to the officer's recommendation with the addition of the following reasons for refusal:

- The adverse impact on flooding and drainage issues;
- The significant adverse impact on highway safety;
- The adverse impact of 175 dwellings on residential amenity.

When out to the vote the amendment was declared carried and became the substantive motion.

No other amendments were made, therefore the Committee voted on the substantive motion and it was declared carried.

It was resolved:

That planning application reference 19/00717/OUM be REFUSED for the reason set out in the officer's report with the following additional reasons:

- The adverse impact on flooding and drainage issues;
- The significant adverse impact on highway safety;
- The adverse impact of 175 dwellings in relation to the built form in this location.

## **78. 19/01342/VAR – COLLEGE FARM, MAIN STREET, WENTWORTH**

Andrew Phillips, Planning Team Leader, presented a report (V138, previously circulated) recommending the approval of the application to vary Condition 8 of previously approved application 18/00840/OUT.

The Planning Team Leader advised the Committee that the application was to remove the condition for the requirement for six self-build dwellings at Main Street, Wentworth. The outline application had already been granted for up to six self-build plots and the access had been approved. The main issues related to the loss of the self-build requirement and a new requirement of affordable housing. All other considerations had been dealt with previously.

The original application had been approved in September in 2018, which would expire in September 2021, and the developer had submitted this application due to a lack of interest in the self-build properties which permission had been granted for. The reason this application had taken such a long time to be determined was due to officers ongoing discussions with the applicant in relation to the marketing and to try and ascertain why the units had not been sold.



The developer had demonstrated that there had been no purchasers for any of the self build plots on the site. Although the loss of the self-build housing, which is given minor weight against the proposal, would be a negative outcome, the provision of an affordable housing contribution, in lieu of an on site provision, would be a positive. This positive contribution would outweigh the negative from the loss of the self-build provision.

It was therefore recommended to grant delegated approval be given, in accordance with the report recommendations.

The Chairman then invited District Councillor Lorna Dupre, Ward Councillor, to speak the following points were made:

- This application had been called in as the important issue of the principle of development was at stake.
- The original application had been opposed by District Councillors, Wentworth Parish Council and residents, as the site was outside the development envelope.
- It was called in to this Committee for determination but at that time the Council could not demonstrate it had a five-year land supply.
- The report to the Committee stated that the provision of self-build units was of merit and the Council had a list of people who wanted to build their own homes, so the proposal would have met that need.
- The subsequent officer's report promoted self-build units outside the development envelope and the Committee had supported the scheme.
- Turning these dwellings into market housing, for a sum for affordable housing provision, would encourage other applicants to apply for self-build and then upgrade their scheme later to a more profitable scheme.
- There was benefit in gaining more affordable housing but this had to be weighed against the risk of many more 'trojan horse' self-build applications.
- Residents do not believe the developer had sufficiently marketed the site as self-build.
- The Committee was urged to refuse this proposed variation.

Cllr Trapp asked Cllr Dupre whether there was any evidence that the self-build units had been marketed insufficiently. Cllr Dupre replied that residents had not seen much evidence of marketing.

Cllr Jones queried how long was a reasonable amount of time before applying to change from self-build, as it had only been two years, so was this too soon? Cllr Dupre acknowledged she did not have an expert view, but although current times were unusual, if the proposal for self-build was attractive then more interest could have been expected. She was concerned this change would signal that developers could obtain permission for self-build properties but then turn around later to get market housing, which was a dangerous precedent.

Cllr Wilson asked the Planning Team Leader if the Council accepted the sum of £210K for affordable housing where would they be built? Wentworth was a small settlement so had no suitable site for them. The Committee was informed that it

was unlikely they would be provided in Wentworth, so they would be provided elsewhere in the district.

Cllr Stubbs questioned when that contribution would be paid and who would agree the Section 106 agreement (S106). The Planning Team Leader stated that the agreement was still being drafted and although the payment would probably be paid before the fourth dwelling was occupied, work on an earlier payment trigger was being worked on. The Legal Manager was looking at this and the relevant trigger points. The S106 would be completed prior to the determination of this application.

Cllr Ambrose Smith reminded the Committee that things were different in 2018 and at that time a self-build proposal had considerable merit. The marketing strategy was queried as was the unit pricing, which was considered on the high side. Could the applicant submit a new application for affordable housing and market housing or would this be refused? The Planning Team Leader confirmed that the outline consent included the condition for six self-build units but the applicant now sought to remove that condition and contribute to affordable housing off-site. If this was refused then the outline permission would lapse in September 2021. If a new scheme came forward it was highly unlikely that refusal would be recommended, due to the site's location outside the development envelope.

Cllr Jones asked how long was the set period of time for schemes to be marketed. The Committee was informed that it was usually around two years.

Cllr Trapp noted that the cost of the self-build plots would be around 50% that of market housing and asked whether that was reasonable. Was Main Street in Wentworth a single road? The Planning Team Leader thought with the value of the sale of the land the costs could be considered reasonable, though the affordable housing contribution was more complicated to value and officers had consulted our Housing Officer who advised the contribution was acceptable. It was confirmed that Main Street was a very narrow lane but laybys would be provided via the outline permission.

Cllr Brown wanted to know whether the applicants had written to the people on the Council's self-build register and those in neighbouring authorities. This information was not known.

Cllr Wilson asked if the applicants had offered shared-ownership and rental affordable houses on that land, so that any contribution went to Wentworth. It was confirmed they had not as unlike a Registered Social Landlord would adopt 2 affordable units in isolation and the contribution had been based on conversations with the Housing Officer.

Cllr Hunt asked whether a Community Infrastructure Levy (CIL) contribution would be secured. It was confirmed that the development would be CIL liable.

Cllr Wilson proposed that the Committee reject the officer's recommendation and refuse the application, as the proposed development would not be in keeping with the village. The proposed six market houses would be different to the houses already in the village. The Planning Manager reminded the Committee

that if the Committee wished to reject the officer's recommendation it had to provide planning reasons for doing so.

Cllr Hunt then proposed that the Committee accept the officer's recommendation. *This was not seconded.*

Cllr Trapp was in favour of self-build but questioned how this site had been marketed and there appeared to be problems with the self-build register and costs. However, he then seconded Cllr Wilson's proposal.

Cllr Jones had concerns over the proposal and preferred allowing for a longer time frame for the self builds to come forward.

Cllr Stubbs thought self-build was needed and would be upset if the Committee voted to overturn the condition for them. Stated she was in a village delivering self build units and had these plots been marketed properly? If the Committee did decide that the proposal was acceptable, the S106 needed to be water-tight and the contribution paid when just 1 home was occupied. However, the Committee should not send the wrong message by accepting the variation.

Cllr Downey thanked Cllr Dupre for her comments, which he mostly agreed with and considered the plots had not sufficiently been marketed. He would also vote to reject the recommendation, as there was no persuasive case to go for market housing.

Cllr Trapp then stated that for clarity the site had not been sufficiently marketed and would be contrary to the Self-build Supplementary Planning Document.

Cllr Brown then proposed an amendment that the officer's recommendation be rejected, as the variation would be contrary to paragraph 2.2.6 of the Council's Custom and Self Build Supplementary Planning Document. This was duly seconded by Cllr Wilson and when put to the vote declared carried.

It was resolved

That officer's recommendation to approve a variation to planning application reference 19/01342/VAR be rejected and the application be REFUSED as it was contrary to paragraph 2.2.6 of the Council's Custom and Self Build Supplementary Planning Document.

#### **79. 20/00296/OUM – LAND REAR OF 163 TO 187 HIGH STREET, BOTTISHAM**

Anne James, Planning Consultant, presented a report (V139, previously circulated) recommending refusal of the development of a retirement care village comprising housing with care, communal health, wellbeing and leisure facilities.

The Planning Consultant advised the Committee that this was an outline application and all matters would be dealt with at the reserved matters stage, except for access. The site in question was outside the development envelope and in the Green Belt, with parts of the south of the site within the Conservation Area. The application was for a Class C2 retirement care village, comprising 170 units and approximately 51 dwellings as affordable housing, open spaces and a communal building. Some of the proposed community facilities would be open

to the public. Vehicular and pedestrian access would be via the High Street with pedestrian access via Rowan Close.

The application had been amended to address some technical issues and the Council's objections. The revised application now included 30% affordable housing and amended highway information. The care village, which was aimed at self-funders, would cater for individuals with various care needs. The units would be available for leasehold at market value or for rent.

No housing design has been forwarded but the indicative layout showed an area proposed for the affordable housing, adjacent to Rowan Close. The C2 element would wrap around the large public open space.

#### Principle of Development

The Adult Health Commission was of the opinion that Bottisham was well serviced with residential care provision. The applicants stated that there were no other preferable sites for this development within the rest of the District, however no evidence was provided to support that view. The development would be in the Green Belt and Members were informed of an Appeal decision for a site in St Albans for a similar scheme that had been rejected due to the impact on the Green Belt. It was considered that no special circumstances had been put forward to outweigh the harm to the Green Belt and the visual amenity.

#### Local Policy

Policy GROWTH2 did provide exceptions for this type of development but any development would need to protect the countryside and town setting. Policy HOU6 states that this type of development should ideally be located within a settlement boundary, but did allow exceptions for this type of development to be located outside development envelopes, where it was in close proximity to a settlement, would have no impact on the character of setting of a settlement or the surrounding countryside and where there was an identified need. .

#### Planning Needs Assessment

The Assessment has indicated there is a significant undersupply of private care accommodation in the market catchment area and in east Cambridgeshire. Locating this accommodation at Bottisham would be more beneficial to the south of the district rather than in the north of the district or in Ely, Soham or Littleport, which the Council have identified as areas of growth. The County Council had identified a number of residential care services needed but it was difficult to assess the demand due to the current pandemic.

#### Residential Amenity

As it was only an outline application the impact on residential amenity would be considered at the detailed design stage, where a revised acoustic report would need to be submitted. Therefore, it was considered that an acceptable level of residential amenity could be attained.

#### The Green Belt

Only a small proportion of land in East Cambridgeshire was in the Green Belt. The National Planning Policy Framework stated that inappropriate development harmful to the Green Belt should not be approved except in very special circumstances. The proposed development does not fall within any of the criteria set out in para 145 and 146 of the NPPF. The Green Belt had five purposes

including safeguarding the countryside from encroachment. This development would have a degree of encroachment due to its scale and massing, would be a significant development within the Green Belt and would see an increase in activity, resulting in an adverse impact on the openness of the Green Belt and would irrevocably cause harm.

#### Historic Environment

The Council County archaeologist had raised no objections relating to the proposal, subject to further investigation. The site is located within close proximity to a number of designated heritage assets, with parts of the site extending into the Bottisham Conservation Area. The degree of harm is considered to be less than substantial harm and this should be weighed against the public benefits, as set out in the report. .

#### Highway Safety and Access

The application had been re-assessed by County Highways following the submission of revised information and its objections had been removed.

#### Ecology and Other Matters

The proposal would secure a biodiversity net gain, which had been reduced from the original calculations. However, it is likely that that further net gains would come from detailed layout, planting specifications and management of the areas which would be delivered at the detailed design stage. There were no expected flooding or drainage issues, subject to relevant conditions.

In conclusion, although there was an acknowledged need for this type of development, Bottisham had already got similar facilities which had vacancies. There was no evidence of any other non Green Belt sites being considered by the applicants. The development would cause significant harm to the Green Belt and it was not considered that very special circumstances had been demonstrated which outweighed any harm to the Green Belt. Therefore, the application was not acceptable and was recommended for refusal.

The Chairman then invited Dr McGrath to speak the following points in objection to the application were made:

- The current medical practice in Bottisham was small and currently handle 5800 patients, a huge proportion of whom were elderly.
- This meant there was already a huge workload coping with these patients, which included patients from the Milton Park care home which was one of the largest in East Anglia.
- A disproportionate number of their patients were in residential care and had an impact on the service.
- The surgery did not have the capacity to expand further and dealing with an influx of more very frail and vulnerable patients would be a disadvantage to other patients.
- A development of the scale proposed would be a threat to the service and could be a dangerous place with vulnerability to the COVID virus.

Cllr Jones asked whether the practice had funding weighting due to its older patients. Dr McGrath explained the weighting depended on the age of patients and how chronic their conditions were. Any re-imbursement would not cover costs.

Cllr Ambrose Smith queried the possibility of expanding the practice and Dr McGrath stated that any expansion would need the demographic of its patients being shifted away from the 30% of its patients now over 65. The service would have recruitment difficulties and was already an outlier in terms of the dependence of its residential and care homes. It already provided emergency and planned care for those homes but any future funding would not be able to support the proposed new development.

Cllr Trapp wanted to know whether the service was overstretched. Dr McGrath confirmed that it was due to the aging population. People were having to wait longer to access the service and the thought of a new burden was petrifying.

The Chairman then invited the Democratic Services Officer to read a statement submitted by Jody Deacon in objection and the following points were made:

- The construction of any buildings backing onto the new garden or restricting of views was opposed.
- There were concerns on the impact of local significant wildlife.
- There would be a huge disruption to the natural habitats and would take away some of the charm and attractiveness of Bottisham.
- The land is conservation land and any building on it would be unfair to local residents who have defended it from development.
- The development is not suitable and the proposal to remove green spaces in favour of housing was clearly not the way to go.
- The cluster of social housing is an irresponsible move by the developer, as it should be integrated throughout the development.
- The developer has chosen a development for easy profit and not what would benefit Bottisham.
- The village already had two care homes and the land use has not been suggested to support younger families or the younger generations.
- The Government encouraged people to engage in their wellbeing, pointing to open landscapes and nature to help, and this development goes against that ethos.
- A secluded and private retirement village would only add significant traffic to an already overburdened village and pressure on local NHS and other services.

The Chairman then invited Phil Grant, to speak on behalf of the applicant and the following points were made:

- An outline application had been submitted for private retirement housing with care, communal facilities, public open space and affordable housing.
- A clear distinction should be made between this proposal and other existing care facilities in Bottisham.
- This proposal provides for homes to rent or buy with onsite care available, to allow individuals or couples to live independently.
- The care would be provided via a private onsite care agency registered with the Care Quality Commission.
- Although the site sits within the Green Belt the benefits the proposal could bring had to be carefully balanced against its inappropriateness and perceived harm.

- The report author had not taken a balanced view nor sought an independent officer for advice on the impacts regarding the Green Belt.
- Members did not have to follow the officer's recommendation and could give weight to the material considerations.
- Members should weigh up the following benefits of the proposal: the critical need for specialist older people's housing; the provision of over ten acres of funded and maintained natural parkland and play area in a village of limited public space; ecological enhancements and biodiversity net gain; provision of affordable housing; release of general housing stock and the economic benefits of job generation.
- Objectively it was clear the benefits of the development outweighed the negative impacts.
- A number of appeal decisions had afforded significant weight to the need for private older people's accommodation had outweighed the harm to the Green Belt.
- Very Special Circumstances had been demonstrated so the application could be approved.

Cllr Jones questioned the level of medical needs and primary care that could be provided for the new residents. It could be expected that they would have their own private health insurance, so would they not need to use the NHS? Mr Grant stated it was a requirement for residents on the site to sign up to the care provision by the on-site care agency. Domestic care would be dealt with on-site. Everyone would still have to register with the General Practitioners (GPs). The applicants had attempted to consult the local GPs but without success. There would be multi-functional rooms provided on site to allow GP's to come to the facility if necessary.

Cllr Downey asked whether the development would reduce the strain on the NHS and should that be given significant weight? Mr Grant stated that research supported that fact and stated that private care was a critical issue and there was a national need for it.

Cllr Ambrose Smith was broadly in favour of the development but was concerned about Dr McGrath's statement about the tremendous burden it would place on the local practice, but would the applicants provide or be prepared to employ a GP on-site? Mr Grant stated that health provision would be down to the health care operator to deal with. A similar development had provided health care in consultation with local GPs and they could see a number of residents in one place and not have to do multiple house visits. This issue could be dealt with under Reserved Matters. This type of facility also keeps people active for longer.

The Chairman then invited Parish Council Chairman Jon Ogborn, to speak on behalf of the Parish Council and the following points were made:

- The Parish Council strongly opposed this application for a number of reasons.
- The site was on Green Belt land, which had a high landscape value, and was alongside a Conservation Area. The Inspector had supported the need to protect the Green Belt, during a recent planning appeal, which also provided an easily recognisable boundary in the neighbourhood.

- The site was also outside the development envelope and limited development should only be allowed.
- The District Council had demonstrated a 7 year land supply, so development envelopes should be respected.
- Therefore, the Parish Council sought to protect this area and asked the District Council to also be committed to doing that.
- The Parish Council had supported a scheme providing affordable homes in the village, but this was on a limited landscape value area and was well away from the Conservation Area. So no further affordable housing was needed in the village.
- There was no significant need for another retirement village of this scale that could justify this development.
- With three residential care facilities already in the village, the development would increase the burden on the medical practice leading to reduced care for other residents.
- The application should be rejected as there was no significant need for it and it was on Green Belt land outside the development envelope.

There were no questions for Cllr Ogborn.

The Chairman then invited District Councillor Charlotte Cane, as a Ward Councillor, to speak and the following points were made:

- The officer's recommendation to refuse the application be supported.
- The site was outside the development envelope and since the Council had a 7-year land supply it should enforce this envelope.
- The site was also in the open countryside with the Green Belt, but the applicant had not made an exceptional case for development on that site.
- Bottisham already had two care homes and there was already a range of retirement provision across East Cambridgeshire with permissions for more, so why build outside the development envelope and in the Green Belt.
- If this development was built it would put a strain on the local infrastructure.
- The existing residential homes already had issues over staff recruitment and a further home would lead to more recruitment problems.
- There was only limited transport links to the village, so this would lead to increase traffic issues.
- The GP surgery had expressed its concerns about the impact on its services, which included a wide area around Bottisham. Its high standard of care would be at risk by the additional demand.
- Bottisham suffered local flooding and foul water problems. Until those problems were resolved it would be foolhardy to allow further significant development.
- The Council's planning policy sought 40% affordable housing but this application only offered 30% as set out in the viability appraisal, but this was based on sites where land had full market development value which this site would not have.
- If the Committee were minded to accept the application it should add a condition for the provision of 40% affordable housing to be integrated into the development rather than a single area.



- The infrastructure of Bottisham could not support a development of that size.
- It would harm, and conflict with the purposes of, the Green Belt, be outside the development envelope and lead to the loss of openness therefore the application should be refused to protect the landscape and the village.

There were no questions for Cllr Cane.

In response to Cllr Downey's query, the Planning Consultant noted that the report acknowledged and did not dispute the need for this type of development. The applicant had not submitted evidence of other sites that had been discounted and any application on non-green Belt land would have been considered on its own merit. The Council are not saying that there is no need, but do not consider that special circumstances have been put forward to justify the proposed development in the Green Belt.

Cllr Stubbs definitely supported the officer's recommendations it had been made clear that this was an inappropriate development with the Green Belt and was in open countryside. Therefore, she proposed that the officer's recommendation for refusal be agreed.

Cllr Downey noted the under-provision of this development type and that if it were on non-Green Belt land it would be considered. This proposal provided a social benefit, which makes up for harm to the Green Belt. The designation as an open countryside site was not a common sense test, as there was development all around it and the proposal included for open park space. The applicant had made a good case that the proposal would reduce the pressure on the NHS as a whole. It may impact on the local GP, but they could get funding. Therefore, he was in favour of the application because of its social benefit which allowed people to move out of current houses and move in here, freeing up houses for young people.

Cllr Schumann commended the Planning Consultant on her report and presentation. Although not disagreeing with Cllr Downey's view, as care homes could be considered for exception sites, this proposal has not met the higher standard required due to its location within the Green Belt. Therefore, he seconded Cllr Stubbs proposal.

Cllr Ambrose Smith does not disagree with the points raised by Cllr Downey but thought the issue hinged on the shortfall of the GPs availability on this site. Older people needed more care. The current GPs would not be able to cope with more patients and the applicant could not provide this care on-site.

Cllr Trapp agreed that there was a need for more care homes but considered this the wrong location. Bottisham needed more GP space.

Cllr Jones, in agreeing with both sides of the argument, was concerned about the pinch-point with health services, which could possibly lead to a break down in care.

Cllr Wilson noted that there was a tiny amount of Green Belt land in East Cambridgeshire, so the Council did not want to lose it. The application included affordable housing in a great lump, which was not practical as it should be mixed in. The proposal was also in the wrong place.

When put to the vote the proposal to refuse the application was carried.

It was resolved:

That planning application reference 20/00296/OUM be REFUSED for the reasons set out in the officer's report.

*Cllr Schumann left the meeting at this point, 6:14pm.*

#### **80. 20/00630/FUM – SITE SOUTH AND WEST OF THE BUNGALOW, BRICK LANE, MEPAL**

Angela Briggs, Planning Team Leader, presented a report (V140, previously circulated) recommending refusal of the erection of 55 dwellings with associated infrastructure.

The Planning Team Leader advised the Committee that the application was for 55 new dwellings on a site next to the A142. New access to the site would be via Brick Lane. The main open space was to the east of the site. The site was not flat, with the highest point next to the A142 reducing by four metres across the site.

##### Principle of Development

The site was outside the development envelope and within the Sutton Neighbourhood Plan area, making the Sutton Neighbourhood Plan relevant as it applied to new developments. The Committee were reminded that the Council had more than the required 5-year land supply. The application proposed 100% affordable housing, so the site would be designated as a rural exception site but needed to be assessed against the Neighbourhood Plan, as it was the most up-to-date policy. The application failed to meet Policy NP3 of the Sutton Neighbourhood Plan..

##### Design and Layout

The design was not considered to relate sympathetically to the area and had not been developed in a comprehensive way to create a strong and attractive sense of place and local distinctiveness. The proposal also by virtue of its design, layout and form, fails to relate sympathetically to the surrounding area and each other and does not create a quality scheme in its own right. The proposal would not comply with policies ENV1 or ENV2 of the Local Plan, the Design Guide SPD, chapter 12 of the NPPF and the National Design Guide PPG.

##### Biodiversity

The ecological survey and bat activity report had shown that the site was of low ecological value, although the vegetation that surrounds the site would provide some habitat value for wildlife and act as a wildlife corridor around the edges.. The applicant could not achieve a net biodiversity gain on site and the applicant had submitted a biodiversity offsetting report, since the publication of the

committee agenda, providing off site provision for biodiversity to secure a net gain. The Wildlife Trust were consulted and raised some concerns as set out in the Planning Committee Update circulated to Members before the meeting. Following their initial comments on the report, further discussions have taken place between the applicant and the Wildlife Trust and the Wildlife Trust have now withdrawn their objections and are satisfied that the proposal will achieve a biodiversity net gain with the off-site proposals and if the application was approved these should be secured via a s106 Agreement. Therefore, it was recommended to Councillors that reason for refusal No. 3 no longer was required, or being recommended as a reason for refusal by the Officer.

#### Residential Amenity

Noise from the A142 would be mitigated by an acoustic fence and Environmental Health had reviewed the proposal and while there would be some minor exceedances in noise levels these would only affect a small number of plots and not considered sufficient to warrant the refusal of the application on this basis. Due to the siting of the proposed dwellings, there would be no significant adverse impact on the residential amenity of existing dwellings. A high number of the proposed plot sizes are less than recommended by the Council's Design Guide SPD and cumulatively this will result in some plots not offering adequate or healthy amenity space for future occupiers, have an adverse impact on residential amenity.

#### Other Matters

All other matters were acceptable, as set out within the report to Planning Committee.

In conclusion, the application was not acceptable as it did not comply with policies within the Sutton Neighbourhood Plan, its design and layout and overall development would not result in a quality development and therefore did not comply with the Local Plan, Neighbourhood Plan, NPPF, Council's Design Guide and the National Design Guide. The application was therefore recommended for refusal as per the report with the exception of the biodiversity reason, as this had been addressed.

The Chairman then invited Charles Linsey, to speak in objection to the application and the following points were made:

- The main concern related to the ditch for rain water and the trees. If they were removed, and no storm drains available, then the rain water would run onto driveways and back gardens.
- There would not be enough parking on the new development, so new residents would have to park on the road.

There were no questions for Mr Linsey.

The Chairman then invited Diana Bray, to speak in objection to the application and the following points were made:

- Object on behalf of Mepal residents.
- The development of 55 social and shared ownership houses was completely inappropriate for a small rural village.
- It would not reflect the mix and nature of the existing housing and the 12% increase would change the character of the village.
- The site had not been adopted for development.

- Not against development of the site, but what has been put forward does not accord with policy.
- There was no identified need for 55 affordable homes in Mepal.
- This would be a high density urban development which would be out-of-place in such a rural location and would result in poor amenity for prospective residents.
- There were two conflicting views about the site access.
- Trade vans would have to park on Brick Lane, as they would not be allowed on the site.
- Sewage continued to be a problem and more houses would not help.
- Congestion in the A142 already severely impacted access in and out of the village.

Cllr Jones asked if the access onto the A142 was still the same. Mrs Bray advised it is still the same and takes a while to get out, which then creates a rat run through Witcham. The new AD plant also leads to further congestion and problems existing the village, especially towards Chatteris.

Cllr Trapp asked what the speed limit on the A142 was. Mrs Bray thought it was the national speed limit.

Cllr Hunt asked if he could see the photo showing the junction of the A142 and Sutton Road. Photo was shown.

The Chairman then invited Edward Clarke and Kate Duvall, to speak on behalf of the applicant and the following points were made:

- The main issue is policy NP3 of the Sutton Neighbourhood Plan.
- The Council had allocated the site for residential development in its withdrawn Local Plan.
- The applicant was told that the location would be accepted as an exception site for affordable housing as part of a pre-app.
- Solicitors had confirmed that policy NP3 does not bring the proposal into conflict and it would be in accordance with the Sutton Neighbourhood Plan, so that would not prevent development.
- A rural exception site is an exception.
- The National Planning Policy Framework and neighbourhood plan should not prevent housing developments.
- The proposal had been designed to be bespoke to ensure it adapted to the constraints of the site.
- A number of homes were specifically designed to keep people remaining in the village.
- There were 986 applications on the housing register and over 200 had expressed a view to live in Mepal.
- Over the last seven years the Council was 609 under its target for provision of affordable housing.
- The affordable housing would be a social benefit.
- The applicant was a not-for-profit organisation, who manage over 6,000 affordable homes and invest to enrich communities and are a responsible landlord.
- It provided social or affordable housing and had provided over 500 such homes.
- This application gave the opportunity to deliver another 55 affordable homes to meet some of the Council's shortfall.

Cllr Jones thought the development would 'shore horn' a lot of housing onto the site, resulting in small houses which would impact people's amenity. Was this the best type of housing that could be used as a 'quality' option and have you considered proposing less housing? Mr Clarke stated that the site had been allocated for 50 dwellings, which would be 19 dwellings per hectare, but this application proposed 55, equating to 21 dwellings per hectare.

Cllr Trapp asked where the other 900 affordable housing had been provided by the applicants and would electric charging points be included? The Committee was informed that the affordable housing had been provided in East Cambridgeshire, Suffolk and Norfolk. Charging points had not been requested but their provision could be looked at.

Cllr Downey noted that lawyers had advised that NP3 did not prevent rural exception sites coming forward. Mr Clarke noted that the Sutton Neighbourhood Plan was silent on affordable housing and had not mentioned exception sites, so the wording is not stating that no development is acceptable.

The Chairman then invited Parish Councillor Lorna Williams, Vice Chairman of Mepal Parish Council, to speak on behalf of the Parish Council and the following points were made:

- Mepal had a history of encouraging sympathetic and appropriate development to help create sustainable rural communities.
- The Parish Council objected to this application for a number of reasons.
- There was no safe cycleway from Sutton to Ely and the existing public transport was unsuitable, so leading to a heavy reliance on cars. The resultant increase in commuter traffic had not been modelled and the additional journeys would add to the problems accessing the A142 and would be disruptive to Brick Lane residents.
- There were concerns about the density of the proposed development and increase in works vans outside residents' dwellings. Minor amendments to widen the road would not alleviate those concerns. If the application was approved, the Parish Council would like to see the density be significantly reduced.
- Flooding and drainage/sewerage issues were already existing and the additional 55 houses would be detrimental to surface water drainage.
- The density and design were poor and incompatible with the local character of the village.
- Road noise from the A142 was an ongoing problem and the mitigations proposed would not improve the situation.
- There had been a large number of objections to this application including from the wider village community and there had not been one comment in favour of it.

Cllr Hunt asked whether a lower density proposal would be acceptable to the Parish Council. Cllr Williams stated that it would be dependent on the revised road layout, design and numbers proposed. It would be looked at and discussed with residents. The principle of development on that site was not wholly rejected but a reduced density proposal would have helped. A shared ownership house has also been for sale in the village for some time, which shows there is no need.

Cllr Trapp wanted to know about the difficulties that vehicles had getting onto the A142 and asked whether individual objectors had submitted their concerns in the own letters. Cllr Williams revealed that it could take up to 20 minutes to get out of the A142 junction and this difficulty had resulted in a number of accidents. 15 to 25 residents had contacted the Parish Council, but may have also responded themselves.

The Chairman then invited District Councillor Lorna Dupre, as Ward Councillor, to speak and the following points were made:

- Changes had occurred to the parish boundaries on 12 July 2019.
- This application should be refused on location, design and biodiversity grounds.
- The District Council had demonstrated a land supply of 7 years and could uphold its development envelopes.
- The site was clearly outside the development envelope and any potential development should be strictly controlled.
- Even if the proposal could have been permitted as an exception site, due to its 100% affordable housing provision, the number of dwellings was far in excess of the village's need.
- The site was defined as countryside and the proposal was outside the permitted list of potential uses for such a definition as specified in policy GROWTH2 of the Local Plan.
- The site is within the boundary of the Sutton Neighbourhood Plan, which superseded the District Council's Local Plan and the proposal is outside the list of uses specified in the NP as acceptable.
- The Neighbourhood Plan had to be upheld and respected.
- The density suggested fell below the minimum design standard and would have a negative impact on future occupiers.
- The development would not complement Brick Lane and would not comply with the Council's Design Guide or the National Design Guide.
- There would also be no net biodiversity gain and any benefit clearly would not outweigh the biodiversity loss, so the application should be refused.
- The Council's SPD is very clear and providing an off-site contribution which is miles away is not acceptable.
- The proposal failed to meet the National and Local Policy and Guidance so should be refused.

There were no questions for Cllr Dupre.

The Chairman then invited District Councillor Mark Inskip, as Ward Councillor, to speak and the following points were made:

- The site location was outside the development envelope and was therefore in the countryside, so its use was restricted by GROWTH 2.
- A rural exception site for 100% affordable housing would be far beyond the local affordable housing need for Mepal, as only 15 to 20 would be needed as based on a recent similar survey completed for Sutton.
- 83 people had expressed a preference to live in Mepal but they had also applied for multiple locations, so it was unknown whether Mepal was their first or second choice.

- The site was within the Sutton Neighbourhood Plan boundary, so that need to be considered.
- The land could be used for agriculture or forestry. Policy NP3 makes no reference to rural exception sites.
- That Sutton Neighbourhood Plan was the most up-to-date document and sought to provide additional homes but in locations supported by residents, with access to services. Affordable Housing would be provided as part of the other developments allocated in the plan.
- The biodiversity policy stated that developments should offset any losses on or close by, which this application did not as was proposing improvements 7km away.
- Therefore Members should refuse this application.

There were no questions for Cllr Inskip.

Cllr Trapp questioned the site's proposed density, as it seemed similar to a neighbouring estate Chestnut Way in Mepal. What was the proposed sound screening of the A142? The Planning Team Leader acknowledged that the neighbouring estate was of a similar density. The proposed 3.3 metre high acoustic fencing was considered adequate.

Cllr Jones shared the concerns about the over development of the site and feared that if it was approved then it would aggravate the current road situation. He therefore proposed that the officer's revised recommendation for refusal be approved.

Cllr Wilson had a problem deciding on this proposal, as he was greatly supported rural exception sites, but this development would be too big for the village and would make a significant difference. He was also a great supporter of the Sutton Neighbourhood Plan and thought this had to be supported, even though the NP did not talk about affordable housing. So he had to decide between balancing the requirement for affordable housing against the Neighbourhood Plan.

Cllr Downey thought the decision turned on policy NP3 of the Sutton Neighbourhood Plan. As a general rule an exception site is an exception, so he objected to the officer's recommendation. 'Normally' means could be? The policy does not state no development ever outside development envelopes. He supported the provision of affordable housing and had never seen an application for 100% provision. It would be on a large site which was attached to the village. So far the Committee had not accepted any applications for houses, though it had to actively encourage sustainable developments. This proposal was perfectly good, so he proposed that the officer's recommendation be overturned. The design was subjective and it was a reasonable proposal.

Cllr Trapp also supported affordable housing but the proposal was for a high density development, in a small village, which would result in affecting the road junction. So it was a difficult decision to make.

Cllr Hunt stated that if the Council did not support the Sutton Neighbourhood Plan it would not encourage anyone to complete one, so this should not be ignored.

Cllr Ambrose Smith agreed with both Cllr Wilson's and Downey's comments. There were doubts about the access and acknowledged that an exception site was an exception.

Cllr Stubbs had been a member of the Sutton Neighbourhood Plan and knew how much hard work had gone into producing it and its importance to residents. Affordable housing was important to everybody and it was a shame that the application had not done more to make the proposal more sustainable by being less overdeveloped. It was an opportunity missed.

Cllr Hunt echoed what Cllr Stubbs said and commented that communities put a lot of work into a Neighbourhood Plan.

Cllr Brown supported Cllr Jones' view and seconded his proposal to accept the officer's revised recommendation. *This become the original motion.*

Cllr Trapp considered the site as an exception site and seconded Cllr Downey's proposal to overturn the officer's recommendation. *This became an amendment.*

The amendment was put to the vote and declared lost.

The original motion was then put to the vote and declared carried.

It was resolved:

That planning application reference 20/00630/FUM be REFUSED for the reasons set out in the officer's report excluding the reason relating to biodiversity.

#### **81. 20/01373/FUL – PERRYMAN'S, 22 LEY ROAD, STETCHWORTH**

Angela Briggs, Planning Team Leader presented a report (V141, previously circulated) recommending refusal of an application for change of use from a detached annexe to a Class 3 dwelling.

The Planning Team Leader advised the Committee that the application was for a change of use of an annexe and would include for a new boundary wall, landscaping, access and hardstanding. It was proposed to remove the existing external staircase, replace clear windows with frosted and provide a new vehicular access. The detached building was outside the development envelope.

##### Principle of Development

As the building was not within the Stetchworth development envelope it did not comply with policy GROWTH2 which restricted market housing in such locations.

##### Residential Amenity

There would be no alteration to the floor plans, clear glazing would be replaced with frosted where required and a new boundary wall included. The building's footprint would not be enlarged and there would be no significant impact on neighbours. So it would not have an adverse impact on existing properties residential amenity, or on the re as it had plenty of amenity space.

##### Visual Impact



The removal of the staircase would have a positive impact. While the new wall would be partially visible, it was considered acceptable and complementary to the site. There would be no change to the character of the area and no adverse visual impact.

#### Highways Safety

Offset parking for an extra two spaces could be accommodated and was considered acceptable.

#### Trees and Landscaping

The site benefited from existing trees though the walnut tree should be removed and replaced with a suitable species as part of a soft landscaping scheme.

#### Other Matters

The risk of flooding would be low. The existing building would remain as it is. Any biodiversity change would be slight, however, if approved biodiversity enhancements should be secured by condition.

In conclusion, the proposal was not supported in principle so was recommended for refusal.

The Chairman then invited Chris Anderson, to speak on behalf of the applicant and the following points were made:

- The proposal was for a minor change of use.
- The staircase would be removed and the window re-glazed, a new wall would be constructed and a replacement tree planted.
- No objections to the proposal had been received.
- The site was not within the Conservation Area and there were no heritage assets within the site.
- The single issue related to GROWTH2, the need to protect the countryside, but this application would cause no adverse impact or harm.
- The site was already very domesticated so should not be considered as part of the countryside.
- The development envelope was designed to prevent the sprawl of housing but this had no sense of sprawl.
- The site was suitable for the village and was sustainable.
- Its location and character related well to the village, would not cause any harm so the application should be supported.

There were no questions for Mr Anderson.

The Chairman then invited Parish Councillor Lily Whymer, Chairman of Stetchworth Parish Council, to speak on behalf of the Parish Council and the following points were made:

- The building was already in place and had been used as a dwelling as an annexe for about twenty years.
- There was no proposal for a substantial change to the dwelling.
- The dwelling could not be considered as outside the village, as it was opposite number 31 Ley Road.
- The annexe had been inhabited for over twenty years, after permission was granted and had been used by applicants' parents

and then their daughter and they now want to downsize, but remain in the village, so want to sell the annexe.

- The parish Council supported the application for the annexe to become a stand alone dwelling.

There were no questions for Councillor Whymer.

The Chairman then invited District Councillor Alan Sharp, Ward Councillor, to speak and the following points were made:

- He had called in this application as it presented a unique opportunity and should be decided by Members.
- The existing building had been used as an annexe and while it was outside the development envelope it was within the community of Stetchworth.
- There was already an established entrance, which had not been used for years and was fenced off.
- Maintenance of development envelopes was important but Members should decide whether this was an exception.
- The annexe had received planning permission in 2001.
- This proposal would not introduce an additional building, was already in residential use and would not have an adverse impact so should be approved.

Cllr Ambrose Smith asked if there were any anomalies with this site. Cllr Sharp wanted to protect the development envelope but this was a unique site. The building had an existing external staircase to the rear but apart from its removal there would be no actual change to the building.

Cllr Jones asked the Planning Team Leader if permission was granted would this give full permitted development rights to the annexe, so a further annexe could be added to the annexe? This was an exception site, it was not a new building so he was in favour of allowing the application. The Committee was informed that the Council did not like to remove permitted development rights unless absolutely necessary.

Cllr Brown noted the site was outside the development envelope but it had been occupied for 20 years. Allowing the application would protect the countryside and would not adversely affect it. Therefore he proposed that the officer's recommendation be rejected and the application be approved for those reasons. This was duly seconded by Cllr Wilson.

Cllr Trapp asked if the Swimming Pool would be affected by the development. The Planning Team Leader confirmed that the pool would not be affected by this proposal.

Cllr Wilson then proposed that in addition delegated authority be given to the Planning Manager to agree relevant planning conditions. This was accepted by the proposer and when put to the vote the application was approved.

It was resolved:

That the officer's recommendation to refuse planning application reference 20/013738FUL be rejected and the application be APPROVED for the following reason:

- Allowing the application would not adversely affect the countryside.

It was further resolved:

That planning conditions be delegated to the Planning Manager.

## **82. PLANNING PERFORMANCE REPORT – JANUARY 2021**

Rebecca Saunt, Planning Manager, presented a report (V142, previously circulated) summarising the Planning Department's performance in January 2021.

The Planning Manager stated that planning references would be included in future reports against the planning appeal decisions and the upcoming planning appeals. Members attention was also drawn to the upcoming planning appeal hearings, details of which were included within the report.

It was resolved:

That the Planning Performance Report for January 2021 be noted.

The meeting concluded at 8:12 pm.