

In the interests of clarity, the Chairman read out the reason for refusal, as detailed in paragraph 1.1 and Councillor Beckett repeated his request for the inclusion of the additional reason.

The motion for refusal was seconded by Councillor Stubbs, and when put to the vote was declared carried, there being 5 votes for, 1 against and 1 abstention. Whereupon,

It was resolved:

That planning application reference 15/00453/FUL be REFUSED, for the reason as set out in the Officer's report, and for the following additional reason:

In this specific case, the houses should not be built on the street as they would be too close to the road and would not respect the character of The Firs.

### 52. 15/01071/OUT – LAND REAR OF 90 WEST FEN ROAD, ELY

Julie Barrow, Planning Officer, presented a report (Q104, previously circulated) which sought outline consent, with all matters reserved, for a detached dwelling on garden land to the rear of 90 West Fen Road.

The plan submitted with the application showed an indicative layout and design for a one and a half storey dwelling with dormer windows to the front and rear. The applicant proposed to demolish one of the two conservatories located to the rear of the host dwelling in order to increase the amount of amenity space available. A new parking area was proposed to the front of the dwelling, accessed off West Fen Road.

The proposal was the same as that submitted earlier this year under application reference 15/00073/OUT, with the exception that the applicants now proposed to lower the height of the sun room attached to the side of the host dwelling by 600mm.

It was noted that the application had been called in to Committee by Councillor Neil Hitchin.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial view, a diagram showing the layout and design of the proposal, and photographs relating to visual impact. There was also an indicative layout of the parking proposed for the dwelling and host dwelling.

The Planning Officer reminded Members that the main considerations in the determination of this application were:

- Principle of development;
- Visual amenity;

- Residential amenity;
- Highway safety.

The Committee was reminded that the Council could not currently demonstrate that it had a five year housing land supply. All applications for new housing should therefore be considered in the context of the presumption in favour of sustainable development.

For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site was considered to be in a sustainable location.

With regard to the issue of visual amenity, the applicants had attempted to reduce the scale of the side conservatory on the host dwelling. However, the footprint of the built form along the length of Mayfield Close would remain the same and the mature hedge could be removed at any time, exposing the side conservatory to the street scene. It was therefore considered that the cumulative effect of a further dwelling fronting onto Mayfield Close would result in a cramped, contrived appearance, with a poor relationship between the built form along the length of Mayfield Close.

The Planning Officer reiterated that the host dwelling was not within the application site and the Local Planning Authority would therefore not be able to control the works being suggested to the existing conservatory by condition.

The site area of 187 square metres was well below the guideline set out in the East Cambridgeshire Design Guide SPD, which stated that in most cases, building plots should be approximately 300 square metres. Whilst it was accepted that sites close to town centres may fall below this requirement, this area was characterised by its generous plots and openness between rows of dwellings. A plot size significantly below the guideline in this location would not be considered acceptable and the proposal was therefore considered to be contrary to Policy ENV2 of the Local Plan.

Policy ENV2 also required development proposals to ensure that there was no significantly detrimental effect on the residential amenity of nearby occupiers and occupiers of new buildings enjoyed high standards of amenity. The applicants had responded to concerns raised at the pre-application stage that the host dwelling would not retain sufficient private amenity space to the rear by proposing to demolish a conservatory attached to the rear of the dwelling in order to provide additional amenity space.

The proposal was not considered to have a significantly detrimental impact on the residential amenity of the occupiers of nearby dwellings. Whilst the amenity of future occupiers of the proposed dwelling would be affected by neighbouring development, it was considered that, on balance, the proposal complied with Policy ENV2 of the Local Plan in respect of residential amenity.

Members were reminded that access was not being determined today. However, the Local Highway Authority was satisfied that the proposal would not have a significant adverse effect on the public highway, and on

this basis, the proposal complied with Policy COM7 in relation to the provision of safe and convenient access to the public highway.

The Planning Officer concluded by reiterating that the benefits of the proposal had to be balanced against the harm that would arise if the scheme went ahead. The proposal was considered to detrimentally harm the character and appearance of the area, with the proposed dwelling appearing cramped and contrived in the street scene. Such harm attracted significant weight in the planning balance, that it outweighed the benefits of the proposal and the application was therefore recommended for refusal.

At the invitation of the Chairman, Philip Kratz, agent for the applicants, addressed the Committee and made the following remarks:

- He disagreed with the Officer's conclusion, believing that the planning balance gave significant weight in favour of the provision of a further dwelling;
- There would be no harm to residential amenity or highway safety;
- The application was recommended for refusal because of its impact on the street scene;
- When No.50 West Fen Road was approved, it was controversial;
- 1a Mayfield illustrated how the proposal would look;
- This was an outline application, with all matters reserved and if the planning system could not cope with it, then the system was not fit for purpose;
- There was significant weight in the provision of another house to be balanced against the harm to the street scene;
- This proposal was not in The Crescent in Bath, or in the Conservation Area;
- In the absence of any significant and demonstrable harm, permission should be granted.

Councillor Beckett asked if there were any comparable sizes to No.1a Mayfield and he also enquired about the area of the proposal. The Planning Officer replied that No.1a was a three bedroom dwelling, whereas this proposal was for two bedrooms. With regard to the area, the dwelling would cover 49.2 square metres, which equated to 27% site cover.

Councillor Hitchin wondered if the proposal would fill the gap in the street scene and whether the whole site should have been included in the proposal. The Planning Officer replied that the applicants had received pre-application advice and would therefore been aware of her likely recommendation.

Councillor Rouse said he would go against the Officer's recommendation because he believed the site was of a sufficient size to take a modest development if it was well designed. He did not think there would

be significant or demonstrable harm, and the scheme could enhance the area.

The Chairman reminded Members that they should be mindful of the requirements of the NPPF and also give heed to the Authority's policies; this application did not comply with the policies in the Local Plan.

It was proposed by Councillor Rouse and seconded by Councillor Hitchin that the Officer's recommendation for refusal be rejected on the grounds that the proposal would cause no demonstrable harm to the street scene, and would provide another dwelling.

When put to the vote, the motion was declared lost, there being 2 votes for, and 6 votes against.

Returning to the original recommendation it was proposed by the Chairman and seconded by Lorna Dupré that the Officer's recommendation for refusal be accepted.

When put to the vote, the motion was declared carried, there being 6 votes for, and 2 votes against. Whereupon,

It was resolved:

That planning application 15/01071/OUT be REFUSED for the reason as set out in the Officer's report, and subject to the removal of the reference to street scene.

53. **PLANNING PERFORMANCE REPORT FOR OCTOBER 2015**

It was resolved:

That the Planning Performance Report for October 2015 will be emailed to Members, and that Officers will seek to find a better way to disseminate the information for future meetings.

The meeting closed at 4.25pm