



East Cambridgeshire District Council

Minutes of a Meeting of the Planning Committee Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 2:00pm on Wednesday 10 January 2024

Present:

Cllr Chika Akinwale
Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Martin Goodearl
Cllr Lavinia Edwards
Cllr Bill Hunt
Cllr John Trapp
Cllr Gareth Wilson
Cllr James Lay

Officers:

Simon Ellis – Planning Manager
Charlotte Sage – Planning Officer
Lisa Moden – Planning Officer
Angela Tyrrell – Senior Legal Assistant
Jane Webb – Senior Democratic Services Officer

In attendance:

Bobbie Athinodorou – Development Services Support Officer
Melanie Wright – Communications Officer

Others in attendance:

Ruth Gunton
Simon Long
Celia Long

62. Apologies and substitutions

Apologies for absence were received from Cllr Kathrin Holtzmann and Cllr Christine Whelan.

63. Declarations of interest

No declarations of interest were made.

64. Minutes

The Committee received the Minutes of the meetings held on 15 November and 6 December 2023.

It was resolved unanimously:

That the Minutes of the Planning Committee meetings held on 15 November and 6 December 2023 be confirmed as a correct record and be signed by the Chairman.

65. Chairman's announcements

The Chairman made the following announcement:

- The Planning Manager, Simon Ellis, was leaving the Council on 9th February 2024 - the Chairman stated that he had been impressed with Simon's work ethic and wished him all the best in his new appointment.

66. 23/00815/FUL –The Old Grey Barn 23D The Cotes Soham

Lisa Moden, Planning Officer, presented a report (Y111, previously circulated) recommending approval to change the use of agricultural land to part domestic garden land and part paddock land for grazing and for the construction of a cart-lodge.

Members were shown slides of the location, site plan and photos, and proposed plan.

The main considerations for the application were deemed to be:

- **Principle of Development** – the application site sits outside the defined development envelopes. There is an established principle of a single residential dwelling already completed under Class Q consent for barn conversion into dwelling. No policy support for change of use of agricultural land to part paddock and part residential amenity space, but negligible impact upon character and appearance of the countryside. The creation of a cart-lodge as an incidental outbuilding, incorporating a garage, carport and store is considered compatible with the residential use of a new dwelling house, Assimilates well with the host dwelling and existing built-form immediately adjacent to the site. Material considerations of substantial weight are needed to warrant departure from the Development Plan, in light of Class Q consent.
- **Character, Appearance and Heritage** – the proposed application is a complementary form of development that would protect and conserve the character and appearance of the immediate and wider countryside. The cart-lodge would be for use as an incidental building, commensurate with rural character, and host dwelling. The cart-lodge is not considered to further encroach into the countryside in line with the adjacent buildings. The permitted development rights would be removed under conditions.
- **Residential Amenity** – there was a good level of residential amenity for prospective occupiers of the proposed dwelling and nearby

occupiers. Conditions would be added to control the windows in the cart-lodge.

- **Highways, Parking and Access** – the existing access would be used, and no objections had been received from the Local Highways Authority. Sufficient parking would be provided on site.
- **Ecology** – the applicant seeks to retain grass on the paddock area. The cart-lodge is considered a sufficient distance away from the rear boundary hedgerow to minimise any potential damage. A condition requiring biodiversity improvements would be applied.

In summary, the proposed development sought to provide an enlarged residential curtilage to the existing dwelling, retain remaining land as grassed paddock and construct a cart-lodge for use as an incidental outbuilding. In accordance with Section 38(6) of The Planning and Compulsory Purchase Act (as amended), whilst the proposed development was contrary to Policy GROWTH 2 of the Local Plan 2015 (as amended 2023) by virtue of its siting outside of the defined development envelope of Soham, the consent for a residential dwelling in this location (established under LPA Ref 17/01398/ARN) was considered to result in an overriding material consideration of significant weight that would warrant a departure from the Development Plan in this particular instance. The proposed development was also considered to protect and conserve the character and appearance of the countryside, satisfying a key objective of Policy GROWTH 2 of the Local Plan. The development was considered to be acceptable in all other aspects, subject to the recommended conditions contained within Appendix 1 of the Committee Report. The application proposals were therefore recommended for approval on this basis.

Cllr Wilson asked what biodiversity improvements would be proposed. The Planning Officer explained that the improvements had not yet been put forward but, once received, Officers would ensure the improvements were sufficient and the applicant would have six months to implement them.

Following a question from Cllr Akinwale, the Planning Officer confirmed that the request from Cadent Gas to be consulted before any works began would be added as an informative at the end of the Decision Notice.

The Planning Officer confirmed that the rectangular metal shape on the northwest boundary was potentially an animal feed/water trough.

Councillor Hunt enquired if there was a more detailed plan of the cart-lodge; the Planning Officer circulated a plan for Members to inspect.

Councillor Lay asked what restrictions would be placed on the room above the cart-lodge. The Planning Officer explained that it was not out of keeping for a house to have a garage which included a storage area, as there were no other outbuildings on the property, therefore, it would not be necessary to condition the use of the cart-lodge. The Council had a ten-year enforcement process on the potential use of the cart-lodge that could be used if necessary.

Cllr Ambrose-Smith commented that the application appeared straight forward and therefore would be happy to propose the Officer's recommendations for approval. Cllr Akinwale seconded Cllr Ambrose-Smith's proposal.

Cllr Trapp added that the barn conversion had been well designed and was in keeping with the surrounding area.

Cllr Hunt stated that it had been noticeable from the site visit earlier in the day that there was need for storage of garden equipment and the parking of cars, as the property was not on a bus route. He agreed with Cllr Trapp's views and expressed his support for the recommendation.

It was resolved unanimously:

- That the planning application ref 23/00815/FUL be APPROVED subject to the conditions detailed in Appendix 1 of the Officer's report.

67. 23/01148/FUL – Abbey Yard Brinkley Road Brinkley

Charlotte Sage, Planning Officer, presented a report (Y112, previously circulated) recommending approval of the demolition of an existing barn and construction of a new dwelling and a garage/annexe with associated landscaping.

Members were shown slides of the location of the application site and the proposed development.

The main considerations for the application were deemed to be:

- **Principle of Development** – the Principle of Development has already been established for a dwelling and a garage on this site and benefits from an extant consent under reference 21/01238/FUL. This application proposes a two-bedroom annexe, of which the applicant has provided justification in their Heritage, Design and Access Statement over the use of the Annexe for an elderly close relative. A Section 106 Agreement is underway for the restriction of the occupancy of this annexe. Although not signed at the time of presentation to Committee, the Council's Legal Department are progressing well with this legal obligation.
- **Planning History** – The site benefits from an extant planning permission permitted on 8th November 2021 under reference 21/01238/FUL. A slide was shown that illustrated a plan from the 2021 application and the elevations that were proposed. The proposed materials include natural larch cladding coloured aluminium windows and red brick plinth. This design appears domesticated in its styling, particularly the choice of windows and material colours. The slide showed where the original barn sat on the site and the proposed new dwelling and garages. The principle of the outbuilding has been

agreed and the extension over and above the footprint of the existing barn with an additional extension beyond the line of the barn.

- **Proposed Elevations** – The scale and design of the proposed dwelling is of relative size and appearance to the existing barn. A stepped roof is maintained on this dwelling, using a triple step as consented in the previous application. The height of the ridges is higher than those consented under 21/01238/FUL at 6m (19.6ft), 8m (26.2ft), 9m (29.5ft) starting from the lowest to the highest. The ridge heights under the previous application are 4.8m (15.7ft), 6.6m (21.6ft) and 7.2m (23.6ft) respectively. Although higher, Officers consider the steepness of the roof lines to be in keeping with the existing character of the agricultural barn, extant consent, and that of the local area. The materials to be used in this proposal for both the dwellinghouse and annexe / garage are vertical Charred Larch, Grey Aluminium Windows, Grey Aluminium Doors, and Zinc Facias, Soffits and Roofs. The materials are considered to be in keeping with the character of the existing barn, more so than those consented under the previous permission and cause no detrimental harm to the character of the area in accordance with Policy ENV2 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).
- **Residential amenity** – Policy ENV2 of the East Cambridgeshire Local Plan (as amended 2023) requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. The proposed dwelling is sufficiently distances from neighbouring dwellings to prevent any significant impacts being caused by overbearing, overshadowing or loss of outlook. The proposed dwelling is unlikely to cause any issues with overlooking, or overbearing on the neighbouring Brinkley House which is 35m (114ft) from the boundary fence. The annexe and garage are single storey and sits near to the boundary 5m (16.4ft) which has substantial trees and vegetation separating the sites. Officers do not consider the dwelling annexe to provide any issues or negative impacts to the residential amenity of the neighbouring Brinkley House.
- **Visual Amenity** – Additionally, Policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) makes it clear that all new development proposals will be expected to respect the density and character of the surrounding area, whilst ensuring that the location, layout, scale, form, massing, materials, and colour of buildings relate sympathetically to the surrounding area and each other as well as creating quality new schemes in their own right. The shape of the annexe/garage roof has been changed since the consented application to include a pitched roof with gable ends rather than a double hipped roof. Whilst it is a change in the roof line, the gable ends would be more in keeping with the shape of the proposed roof to the main dwelling and therefore be more in keeping with the character of the area in accordance with Policy ENV2.
- **Historic Environment** – Policies ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015 (as amended 2023) requires the Local Planning Authority to consider the setting of the Listed Building in relation to new proposals. The site shares a boundary with the

Conservation Area and is opposite a Grade II Listed Building, The Red Lion Public House. A Heritage Statement has been submitted with this application and has been considered by both the Case Officer and the Council's Conservation Officer. The Conservation Officer has no objection relating to the setting of the Listed Building or the character of the Conservation Area. The Conservation Officer also stated that there were no conservation implications as the principle has been established by the extant permission under reference 21/01238/FUL.

- **Climate Change** – An air source heat pump will be located low to the ground on the west elevation closest to the western boundary. This is away from residential properties and as such would not lead to any impact on the neighbour's residential amenity.
- **Trees** – The Trees Officer is content with the report and has requested conditions to allow for the protection of trees. Officers therefore have no concerns regarding trees on the site.
- **Ecology** – The proposals include measures to mitigate residual impacts and include proportionate ecological enhancements (inc bat boxes). Conditions would be applied for a scheme of Biodiversity Enhancements.
- **Highways Safety** – Proposes 4 car parking spaces; single garage in accordance with Policy COM8; Visibility Splays are suitable; no highway safety objections from the Local Highways Authority.
- **Drainage and Flooding** – Flood Zone 1 (lowest risk); the Applicant has considered suitable mitigation works proportionate to the perceived risk in accordance with Policy ENV8 and the information provided by the Environment Agency.

The proposal was considered to be acceptable in all other aspects including impacts of the proposal upon the character and appearance of neighbouring occupiers, residential amenity, and highways safety. The proposal complied with all other relevant Local Plan Policies, and it was therefore considered that no demonstrable harm would arise from the proposed development. The application was therefore recommended for approval.

The Senior Democratic Services Officer read a statement received from an Objector, Lord Grimthorpe of Brinkley House:

“Please accept my apologies for being unable to attend the meeting. I would be very grateful if you could take my thoughts into consideration, and I appreciate your time in doing so. I understand that you may be mindful of granting permission which goes in the face of not only my objections, but that of the Parish Council and also a previous ruling on a similar application. Therefore, I would ask why an elderly, infirm, lady would need a bike shed or indeed a separate garden? Perhaps a Section 106 Agreement could be made that does not allow separate occupancy and is sensitive to the privacy of Brinkley House. Very many thanks for the opportunity to be read rather than seen, and I hope that my points will be taken into account in your deliberations.”

In response to a question from Cllr Akinwale, the Planning Officer confirmed that the request from the Local Highways Authority would be included in the Decision Notice, should approval be granted.

In answer to several questions from Cllr Trapp, the Planning Officer confirmed that:

- the window on the roof on the east side of the main house was above a bedroom
- the property contained six bedrooms
- the footplate of the annexe was identical to the previous plan only the height had increased
- there were three windows and a rear door on the east side of the single storey annexe with a hedge on the boundary
- the patio/refuse area/cycle storage would all be fully linked to the main house
- A S106 Agreement would be drawn up to ensure that the entire unit could not be separated

Cllr Goodearl enquired about the two rectangular boxes that he had seen at the site visit. The Planning Officer stated that she believed they were utilities connection boxes, but she would confirm this and respond to Members.

Cllr Lay commented that the visual aspect was now much improved to the original and complemented the streetscene, therefore, he proposed to accept the Officer's recommendation for approval. Cllr Ambrose-Smith added that there was little to object to, and seconded Cllr Lay's proposal.

Cllr Trapp added that, whilst he thought the Parish Council's objections should be considered, he also understood there was a good distance between the neighbouring properties, therefore he was undecided on how to vote on the application.

Cllr Brown proposed an amendment to the recommendation, to include the words, "subject to the completion of the Section 106 Agreement", Cllr Lay seconded the amendment and Members agreed unanimously to include the wording in the recommendation.

Cllr Hunt added that, like Cllr Trapp, he had given some weight to the Parish Council's objections but had been assured that the properties would remain as one dwelling and the Conservation Officer had expressed no objections to the application, therefore he was happy to support the proposal, with the inclusion of the additional wording from Cllr Brown.

It was resolved (with 7 votes in favour, 0 vote against and 1 abstention):

- i. That the planning application ref 23/01148/FUL be APPROVED subject to the completion of the Section 106 Agreement and the conditions detailed in Appendix 1 of the Officer's report.

68. Planning performance reports – November 2023

Simon Ellis, Planning Manager, presented a report (Y113, previously circulated) summarising the performance of the Planning Department in November 2023.

The Planning Manager explained that a date had not yet been given to determine the appeal for the land rear of Garden Close, Sutton, but there was a current application on that site which might be submitted to the committee before the appeal was determined. He would keep the Committee updated.

It was resolved unanimously:

That the Planning Performance Reports for November 2023 be noted.

The meeting concluded at 2:53pm

Chairman.....

Date.....