



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange, Nutholt Lane
Ely on Wednesday, 2nd March 2016 at 2.00pm

P R E S E N T

Councillor Joshua Schumann (Chairman)
Councillor Sue Austen
Councillor Derrick Beckett
Councillor Ian Bovingdon
Councillor David Chaplin
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Neil Hitchin
Councillor Bill Hunt (Substitute for Councillor Tom Hunt)
Councillor Mike Rouse (Vice Chairman)

OFFICERS

Julie Barrow – Senior Planning Officer
Jo Brooks – Director, Regulatory Services
Maggie Camp – Legal Services Manager
Barbara Greengrass – Senior Planning Officer
Janis Murfet – Democratic Services Officer
Jon Pavey-Smith – Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Lis Every
Councillor Richard Hobbs
22 members of the public attended the meeting.

85. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Tom Hunt and Lisa Stubbs.

It was noted that Councillor Bill Hunt would substitute for Councillor Tom Hunt for the duration of the meeting.

86. DECLARATIONS OF INTEREST

Councillor Austen declared a personal interest in Agenda Item No.7, as she lived in Mayfield Close, at the other end of the Close. She stated that she would come to this application with an open mind.

87. **MINUTES**

Further to Minute No 77 (15/00802/VAR, Fenland Model Flying Club, Hive Road, Witcham, CB6 2LE), the Democratic Services Officer apologised to Members for having omitted to minute the outcome of the vote on the motion for refusal which had been proposed by Councillor Bill Hunt and seconded by Councillor Chaplin. The motion had been declared lost, there being 4 votes for, 6 votes against, and 1 abstention. Since being brought to her attention, the oversight had been corrected in the draft minutes published on the Council's website, and in the set of minutes to be signed by the Chairman. Whereupon,

It was resolved:

That the Minutes of the Planning Committee meeting held on 3rd February 2016 be confirmed as a correct record and signed by the Chairman.

88. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman did not make any announcements.

89. **14/00017/FUM – LAND TO NORTH EAST OF 5 BACK LANE, LITTLEPORT.**

Julie Barrow, Senior Planning Planning Officer, presented a report (Q208, previously circulated) which sought to update Members on certain matters and to request that a further resolution be made in connection with the determination of the application.

Councillor Chaplin joined the meeting at 2.06pm.

It was noted that the application for 16 affordable dwellings with access from Back Lane (in the form of a cul de sac) was approved at Planning Committee on 3rd December 2014, with appropriate conditions being delegated to the Planning Manager in consultation with the Chairman of the Planning Committee.

A number of issues had arisen since the resolution to approve the application in relation to the use and ownership of Back Lane, the amount of public open space being provided and the definition of "affordable housing".

A number of illustrations were displayed at the meeting including a map of the application site, an aerial photograph, photographs of Back Lane, and an illustrative indicating public open space in relation to the proposed layout of the development.

The Senior Planning Officer said the main issues she wished to draw to Members' attention were:

- The condition and capacity of Back Lane;
- The ownership of Back Lane;
- Public Open Space; and
- The definition of Affordable Housing.

Following the resolution to grant planning permission, the Council commissioned an independent Access Infrastructure Review. The Review concluded that the proposed infrastructure was reasonably practical and could not be regarded as materially unsafe. The junction of Quay Hill and Station Road was considered to be satisfactory and safe, and the limited level of additional trips generated was unlikely to have an adverse impact on safety in this location. Further information would be required regarding drainage measures on Back Lane and it was considered that this could be secured by condition.

It was noted that a number of planning conditions had been recommended by the independent consultant. The applicant had confirmed their agreement to the proposed measures and the findings had also been shared with representatives of the local residents, who confirmed their agreement to the measures proposed to improve the condition of the section of Back Lane that led to the application site.

Members also noted that the applicant had recently secured the transfer of the section of Back Lane leading from the Quay Hill/Station Road junction to the application site. The Environment Agency would no longer be required to enter into the S106 Agreement, and the change in legal ownership meant that the relevant section of Back Lane was now within the control of the applicant. This negated the need for any Grampian style conditions in relation to the works required to Back Lane.

In terms of public open space, the Senior Planning Officer stated that the applicant's agent was disputing the fact that an off-site contribution in lieu was required, citing a meeting with the previous Case Officer at which it was agreed to amend the proposal to 16 units. The applicant stated that the location and quantum of public open space was also agreed at this meeting and this was subsequently incorporated into the scheme. The off-site contribution in lieu had been calculated as being £19,139 and an assessment of the amount of play provision and public open space within the parish of Littleport indicated that there was a shortfall. The approval of the application without an off-site contribution in lieu would, in the absence of any evidence in relation to viability, set a precedent for similar proposals to under-provide for public open space.

Members were reminded that the definition of "affordable housing" was currently being debated through the Housing and Planning Bill, with the Bill containing a provision to widen the definition of affordable housing to include Starter Homes. There was also a provision to allow for regulations to

be made that will set out the proportion of Starter Homes required on housing sites. The Senior Planning Officer reiterated that at the time of writing her report, the Bill had not yet received Royal Assent and therefore the definition of “affordable housing” had not changed.

The applicant’s agent had suggested that the provision of an element of Starter Homes within this scheme would assist with viability and help the Council to meet its Starter Homes target. The applicant was seeking to secure an element of Starter Homes on the development, which would be set out within the S106 Agreement alongside the tenure of the remainder of the units. However, given that the definition of affordable housing had not yet changed, Officers felt that any agreement to vary the terms of the S106 Agreement was premature. Further amendments could be made to the Bill and should it receive Royal Assent in the coming months, an application could be made to vary the S106 Agreement if it was considered necessary.

At the invitation of the Chairman, Mrs Karen Pring, representing the Back Lane Residents Association, addressed the Committee in objection to the application and read from the following prepared statement:

“Planning have commented that this application was approved by the Committee against the recommendations of the Senior Planning Officer and Highways.

It should be noted here that this application was also opposed by the Parish Council and the Residents Association. This was mainly due to the unsuitability of Back Lane to be the access route to the development because of restricted width leading to inadequate width of carriageway and footpaths meaning it will not be adopted by CCC. There will inevitably be adverse impacts on existing residents and their property due to the significantly increased traffic flow and drainage issues associated with the development.

Since the Committee Meeting in December 2014 the independent review referred to today by the Case Officer was commissioned with WSP mainly due to pressure from the local residents. A detailed response to this report was made to ECDC by the Residents Association in April last year.

Key points identified in the WSP report to note are: -

- The construction specification proposed by the developer was not satisfactory to ensure that a long term improvement to Back Lane is achieved. It is clear from WSP’s comments that the proposal for the road improvements in the application fell far short of what was required and their recommendations relate to significant improvements required in construction design and length of the improved section.*
- That there was insufficient information (effectively no detail whatsoever) provided by the developer in the application regarding drainage. WSPs report recommended that a comprehensive drainage solution would need to be submitted and approved to control drainage/flood risk and prevent damage to the substructure of adjacent property.*
- That consideration should be given to a street lighting scheme as this was not covered in the application.*

We feel strongly that the Committee approved this application despite well-argued objections raised by Planning, Highways, Parish Council and

Residents. Those objections have now been borne out by the report produced by the independent consultants, highlighting the unsuitability of the proposals for upgrading Back Lane to minimise the adverse impact of this development.

However, since the WSP report was published in March 2015, nearly a year later no further information or designs have been made available by the developer for consideration with detail how these critical issues will be addressed.

We note the change in ownership of the section of Back Lane from Quay Hill to the development. We need to be reassured that now the developer owns this section it can have no weakening of the Planning Conditions that will be in place or detrimental effect on the protection that they are designed to provide over the whole length of Back Lane.

We have had less than a week's notice that this application was to be raised at this meeting – the letter from ECDC was dated 19th Feb but not received by members until 24th.

However, we want to impress on this Committee in the strongest terms that this review should be taken as an opportunity to get robust Planning Conditions in place that will ensure the protection of the residents and other users of Back Lane. For example, while Condition (ii) in Appendix 3 specifies that prior to first occupation the road must be made up to binder course, there appears to be no specification of how soon after completion of the dwellings or occupancy that the road, drainage and lighting construction needs to be completed to the approved detailed scheme.”

At this point, the Chairman reminded Members that they were looking at what was before them today, not what had already been approved.

At the invitation of the Chairman, Mr Philip Kratz, agent for the applicant, addressed the Committee and made the following points:

- The resolution of the Planning Committee meeting in December 2014 did not mention a S106 Agreement or public open space at all, because Members had gone against the Officer's recommendation;
- The application had been for 21 dwellings and while the Officer's recommendation was for refusal, the application had been approved;
- The viability of the scheme was on the borderline;
- Social housing grant was unlikely to be available for this scheme and it was difficult to borrow for;
- He wanted the Committee to agree that the public open space for this scheme was adequate and the amended scheme would be acceptable;
- This would be a spacious estate with generous gardens;
- He asked the Committee to entertain the idea of Starter Homes, because the legislation was being altered and could come through quite quickly in late spring or early summer.

Mr Kratz then responded to comments and questions from the Committee.

Referring to paragraph 5.4.4 of the Officer's report, Councillor Beckett asked him whether the agreement was written or verbal. Mr Kratz replied that he was not present at that meeting, but he could not find anything in writing and the resolution did not require a S106 Agreement at all.

Councillor Hunt wished to know, if Starter Homes were available now, how many would be sold to first time buyers. Mr Kratz said 50% would be Starter Homes, and the social rented/affordable housing element would be split on a 50/50 basis; this could be done today under a S106 agreement. Starter Homes would be significant in the future and would not inflate prices. Councillor Beckett asked what would be the alternative and was informed that the applicant would have to wait until the legislation had been changed.

The Planning Manager reiterated that the application was for 16 affordable homes and the definition for affordable housing had not yet been changed to take account of Starter Homes. If the applicant wished to change it to Starter Homes, this would have to be a fresh planning application. However, once the legislation had been changed, the applicant could apply to have the S106 modified. The Chairman concurred, saying it was frustrating that although a change in legislation was approaching, the Committee was bound by the approval for affordable homes. To reduce the off-site contribution in lieu of public open space would be treading on dangerous territory, as it could set a precedent for the future.

Councillor Rouse noted that there was quite a lot of informal space on the development, and this issue could have been resolved early on. The Senior Planning Officer said her report made reference to the previous Case Officer's report. Public Open Space fell short and could be resolved by a commuted sum, but this was not included because the application was recommended for refusal. She had held discussions with the agent since publication of her Committee report and an amendment to the layout of the development had been put forward. However, the plan was not considered to be of merit and was not progressed. She stressed that she had not been party to the original discussions, but a commuted sum would have been necessary.

Councillor Hunt enquired who would maintain the public open space and bear the cost, as this was an important issue. The Senior Planning Officer advised that this would form part of the S106 negotiations.

Councillor Beckett commented that there was very little recreational space in the gardens of houses in Ely. However, this scheme had big gardens which could offset the lack of public open space. This application had considerable green space in comparison to Ely, and besides which, the community would be the people who lived there.

The Planning Manager again reiterated that any changes to the design of the development would technically be a new application and the process would have to start again. Councillor Beckett felt that failing to impose the S106 when the application was approved was the Council's

mistake, and that an exception should be made in this case. This view was supported by Councillors Chaplin and Bovingdon.

The Chairman asked if there was scope for the applicant to submit a viability assessment and then consult on it. The Planning Manager repeated her previous response, namely that any changes would require a fresh application. If a S106 Agreement was issued, when the legislation changed to take account of Starter Homes, the applicant could apply to vary the S106 without having to submit a whole new planning application and could just apply to modify the S106 Agreement. This application was for 16 affordable homes and Starter Homes did not fall within that definition.

The Chairman drew the Committee's attention to paragraph 5.4.3 of the Officer's report which stated that any shortfall in public open space could be met by a commuted sum.

For the benefit of all present, the Democratic Services Officer sought clarification regarding what Members were being asked to approve. The Planning Manager said that the Committee could resolve to confirm the resolution to grant planning permission either with or without securing the off-site contribution.

It was proposed by the Chairman and seconded by Councillor Hitchin that the applicant should be expected to make an off-site contribution in lieu of public open space. When put to the vote, the motion was declared carried, there being 7 votes for, 2 against and 1 abstention.

It was proposed by the Chairman and seconded by Councillor Rouse that the current definition of "affordable housing" should apply to the application. When put to the vote, the motion was declared carried, there being 8 votes for, 1 against and 1 abstention. Whereupon,

It was resolved:

- 1) To note the additional work that has been carried out in respect of the condition and capacity of Back Lane and confirm that the final approval of the draft Conditions remains delegated to the Planning Manager in consultation with the Chairman of the Planning Committee;
- 2) To note that the applicant now owns the section of Back Lane leading to the development site;
- 3) That the applicant will be expected to make an off-site contribution in lieu of public open space; and
- 4) That the current definition of "affordable housing" applies to the application.

90. **15/01360/FUL – 9 BARTON ROAD, ELY, CB7 4HZ**

Jon Pavey-Smith, Planning Officer, presented a report (Q209, previously circulated) which sought consent for the demolition of two flat roof

garages to the side of No. 9 Barton Road and the erection of a two storey dwelling on land between 9 and 11 Barton Road.

It was noted that the application had been called in to Committee by Councillor Richard Hobbs. He believed that it would be in the public interest for the application to be considered by the Planning Committee, as he thought the plans submitted were acceptable and would enhance Barton Road.

The site, which was within the Ely Conservation Area, belonged to No. 9 Barton Road and was currently occupied by two flat roof garages which adjoined the garage to No.11. The street scene in the vicinity of the site was characterised by two storey dwellings, some detached in spacious grounds to the south, north and east of the site, but views to the north along Barton Road and opposite the site were of a uniform style of semi-detached and terraced houses with traditional stocky chimneys and a mixture of tiled and slate roofs. The uniformity was accentuated by the dominance of hipped roofs fronting the road. The dwellings either side of the site and opposite benefitted from bay window projects both at ground and first floor and at ground floor only.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, an indicative layout of the proposal and photographs regarding visual impact on the street scene. There were also slides relating to the proposed materials, residential amenity, highways impact and the planning balance in terms of benefits versus adverse effects.

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

- The principle of development;
- Impact on the street scene;
- Materials;
- Residential amenity;
- Highways; and
- Trees.

Speaking of the principle of development, the Planning Officer reminded Members that the Council was currently unable to demonstrate an adequate five year housing land supply and therefore the policies within the Local Plan relating to the supply of housing should be considered out of date. In view of this, all applications for new housing should be considered in the context of the presumption in favour of sustainable development.

The benefits of this application were considered to be the provision of a residential dwelling built to modern sustainable standards and the positive contribution to the local and wider economy in the short term through construction work.

The site was located within the established development framework of Ely, in a built up residential area close to the facilities and services on offer in the settlement. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site was therefore considered to be in a sustainable location.

The Committee was informed that the style and design of the proposed dwelling was not considered to be in keeping with the character and appearance of the street scene. All the dwellings in the vicinity of the application site had a hipped roof design facing the street. A gable fronting onto the road would appear alien and incongruous in the existing street scene. It was also considered that the appearance of the vertical ridged brickwork on the front elevation would be out of keeping and would appear out of context in the area.

It was considered that this proposal would be harmful to the character and appearance of the Conservation Area. Any proposed dwelling on this site should reflect the design characteristics of the neighbouring dwellings and the immediate street scene. The harm would be further exacerbated by the proposed materials, in particular the metal roof and the aluminium flue. Neither of these elements were characteristic of the locality, as existing dwellings in the vicinity of the site were constructed using roof tiles and slate with brick chimneys.

In terms of residential amenity, there would be some overlooking to the rear garden of No.11 Barton Road, but not to an extent that would warrant refusal of the application. It was also considered that there was sufficient separation distance between the dwellings at No.9 and No.11 that the new dwelling would not be overbearing or cause loss of light or undue noise and disturbance to those residents or the residents of the host dwelling. In this respect the proposal was considered to comply with Policy ENV2 of the Local Plan.

The Committee was reminded that if the proposal was granted permission, the two garage spaces which currently served the host dwelling would be lost. The submitted plans showed two parking spaces within the frontage of the new dwelling and the creation of a new vehicular access for the host dwelling with two on-site parking places. This was considered to comply with Policy COM8 of the Local Plan, and the Local Highways Authority had raised no objections to the proposals.

The Planning Officer stated that the scheme included the removal of two trees, but they were considered to be of low landscape value. There had been no objection raised by the Trees Officer as a number of small trees would be planted as replacements to the side of the dwelling.

Speaking of the planning balance, the Planning Officer said that while the principle of providing a dwelling on this site was not disputed, the design needed to respect the setting in which the dwelling was located. In this case, the harm to the street scene and the Conservation Area from the combination of the gabled design and proposed materials was considered to be sufficiently significant to warrant refusal of planning permission.

At the invitation of the Chairman, Ms Lucy Cook, applicant, spoke in support of her application and made the following comments:

- She wished to build a family home for herself and her son;
- It would be a high quality eco home, not a pastiche;
- It would be in keeping with the Design Statement;
- Barton Road had organically evolved through time and did not have any one predominant style, only a few houses are the same;
- The Conservation Officer said she would prefer an organic design and the proposal aimed to achieve this;
- The gabled end would fit the plot, be symmetric and have a balanced elevation;
- There would be a recessed front door and the front elevation would have reconstituted window surrounds;
- The house would be built to be as sustainable as possible and the hard landscaping would be in keeping with that of No.11;
- The pre-application advice had been taken very seriously and the comments from the Conservation Officer suggested that there were no fundamental issues;
- She had not been told that gables facing the street would be a deal breaker. It seemed that the principle objection was the gable end facing onto the street, as this was contrary to the Design Guide;
- She would be happy to change the materials for the chimney and the roof;
- The consultees, including the City of Ely Council, had raised no objections or concerns, and Councillor Hobbs believed the house would enhance the street scene;
- She believed that the proposal was in keeping with the character of the area;
- If granted permission, she would expect there to be conditions imposed. While paragraph 8.24 of the Officer's report recommended refusal, she hoped that a revised specification of materials would be acceptable.

At the invitation of the Chairman, Councillor Richard Hobbs, a Ward Member for Ely East, addressed the Committee.

He said there was not much that he could add to what Ms Cook had already said, but he was pleased to have been able to call the application in to Committee. This was a prime plot for development and he felt the proposal

would enhance Barton Road. Whilst acknowledging that the gable end was a sticking point, he hoped that the application could be approved.

Councillor Beckett asked if the metal roof would be coloured and whether it would be likely to rust. The Planning Officer replied that he did not have any specific details, just that the roof would be metal. As the proposal was within the Conservation Area, it would be conditioned that the samples of the materials would need to be submitted by the applicant and would have to be acceptable to the Local Planning Authority. Ms Cook interjected to assure Members that she did not want a rusty roof on the house. Her inspiration was the Cathedral and she was looking to have a grey metal with an appearance similar to that of slate.

Councillor Rouse asked the Planning Officer if he accepted that there was a huge range and mix of housing architecture in Barton Road, which covered quite historic building types. The Planning Officer replied that he did, but this part was dominated by hipped roofs fronting the road.

Councillor Rouse continued, saying that the Officer's recommendation surprised him because the Authority had, in the past, asked for modern designs and none had come forward; now it was recommending refusal of a modern design. Mole Architects Ltd was an award winning firm and this was a design for a contemporary eco house, which was what the applicant wanted. Barton Road was a very eclectic street, but it had nothing in it that was built "as of now". He believed that refusal of the application would be a huge opportunity missed and he could not therefore support the Officer's recommendation.

Councillor Cox stated that he believed changing the materials was a good idea. He was happy with the design of the building, but would suggest slate for the roof.

Councillor Hunt complimented the applicant on the renovation of the existing house and said he had no doubt that the garages were an eyesore. The principle of redevelopment could not be disputed, but the fact that the site was in the Conservation Area had to be taken into consideration. Pre-application advice had been given and not taken, parking on Barton Road could be a nightmare, and there were concerns regarding some of the materials proposed. This was an important access road into the City and he agreed with Officers that having the gable fronting onto the road would not look right.

Councillor Beckett expressed his support for Councillor Hunt's comments. There was sufficient space to build a house, but this was in the Conservation Area and the character and appearance of the area should be conserved. Councillor Rouse had said he wanted to see modern innovative designs, but this bit of Barton Road was particularly uniform compared to further down the road. Councillor Beckett said he would support the Officer's recommendation.

Councillor Hitchin said that he concurred with Councillor Rouse. Some years ago he had worked on a Tudor mansion, Wollerton Hall, in Nottinghamshire, where a ceiling had been knocked through and glass

added. His point was that modern works could be carried out in Conservation Areas and it was just a matter of design. He disagreed with the Planning Officer in that he felt a uniform rhythm could be dull. Architecture was a form of art and this design would add variety to the street scene.

Councillor Bovingdon said that as the owner of a Grade II listed cottage, he had been advised to put a zinc roof on the extension to show how modern materials could fit in; zinc looked like lead. The applicant had said she would be willing to change the materials, and he believed the design would fit well into the area.

It was duly proposed by Councillor Rouse and seconded by Councillor Hitchin that the Officer's recommendation for refusal be rejected on the grounds that Members believed the modern design would add variety to the street scene. When put to the vote, the motion was declared carried, there being 7 votes for and 3 votes against.

It was resolved:

That planning application reference 15/01360/FUL be APPROVED, as Members believe it is a modern design that will add variety to the street scene.

It was further resolved:

That the imposition of suitable conditions be delegated to the Planning Manager.

91. **15/01543/FUL – 90 WEST FEN ROAD, ELY, CB6 3AA**

Julie Barrow, Senior Planning Officer, presented a report (Q210, previously circulated), which sought planning permission for the construction of a chalet bungalow together with associated site works, including the creation of a new vehicular access, the demolition of an existing rear conservatory and the reduction in height of an existing sun room.

On a point of housekeeping, Members were asked to note the inclusion of the following additional condition:

"15. Prior to commencement of work on the new dwelling hereby approved, the rear conservatory to 90 West Fen Road shall be demolished and the roof on the side sun room shall be lowered in height by 600mm. The works shall be carried out in accordance with the details shown on Drawing No. EDG/14/49/4 – A and the sun room shall thereafter be retained at that height."

Reason: To safeguard the character and appearance of the area and the residential amenity of future occupiers of 90 West Fen Road, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015."

A number of illustrations were displayed at the meeting including a map of the application site, an aerial view of the location, an indicative layout of the proposal, a slide showing the difference between the previous and the

current application, and the elevation of the proposed chalet in comparison to the existing.

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

- The principle of development;
- Visual amenity;
- Residential amenity; and
- Highway safety.

The Senior Planning Officer stated that the Council was currently unable to demonstrate an adequate five year housing land supply and therefore the policies within the Local Plan relating to the supply of housing should be considered out of date. In view of this, all applications for new housing should be considered in the context of the presumption in favour of sustainable development.

The application site was located within the established development framework of Ely, in a built up residential area close to the City centre. The site was therefore considered to be in a sustainable location.

It was noted that although the plot size had been increased by 14m², it was still below that of 300m² as set out in the East Cambridgeshire Design Guide SPD. However, the footprint of the proposed dwelling equated to a site coverage of 25% and amenity space in excess of 50m² was being provided. Both of these elements complied with the Design Guide SPD and Officers were now satisfied that the proposal would not have such an adverse impact on the character and appearance of the area that would outweigh the benefits of the proposal.

With regard to residential amenity, the applicants had responded to concerns previously raised that the host dwelling would not retain sufficiently private amenity space to the rear following the loss of the plot. It was proposed to demolish a conservatory to the rear of No.90 in order to provide additional amenity space. The kitchen window of 1A Mayfield Close would be obscured by the existing fence, and rear facing dormers would serve the bathroom and dressing area, which are not habitable rooms. The first floor windows on the rear of the host dwelling would face towards the garden area to the rear of the proposed dwelling, but as they would be located approximately 7 metres from the boundary of the site, they were not considered to introduce an unacceptable level of overlooking in a residential area such as this.

On balance, the proposal was not considered to have a significantly detrimental impact on the residential amenity of the occupiers of nearby dwellings. Whilst any future occupants of the proposed dwelling would be aware of the proximity of the neighbouring dwellings prior to occupation, it was considered that, on balance, the proposal complied with Policy ENV2 of the Local Plan.

The Senior Planning Officer stated that concerns had been raised by local residents regarding the impact of the proposal on highway safety and vehicles being parked on the highway. A number of photographs had been submitted showing this, and several residents had cited difficulties in entering and leaving Mayfield Close.

This had been raised with the Local Highways Authority who had responded by saying that it was satisfied that the proposal would not have a significant adverse impact on the public highway. On this basis, the proposal was considered to comply with Policy COM7 in relation to the provision of safe and convenient access to the highway.

At the invitation of the Chairman, Mr Ian Lindsay spoke in objection to the application and made the following points:

- He was here to represent the householders of Mayfield Close, having been asked to come to the meeting by Mrs Brownlow as she was unable to attend;
- Mrs Brownlow had approached her Ward Members but they could not help her as they both served on the Planning Committee. She had also asked her City Members, but was advised that there would be a conflict of interest;
- He himself was a City Councillor, but was absent when this application had been discussed. The City of Ely Council had recommended refusal of the application on the grounds that the access onto West Fen Road was dangerous;
- This proposal would affect parking and vehicular access. Mayfield Close was narrow and often had parked cars which caused obstructions when vehicles tried to turn into the Close;
- Turning was very tight and another house would exacerbate the problem even more, increasing vehicular activity and the number of cars parking in the locality;
- There would be a loss of amenity affecting current and new residents. Two small plots were not in keeping because they were smaller than the existing plots. There would be a loss of light affecting No's 1, 1a and 20 Mayfield Close, and it would block the view from the existing kitchen window;
- There would be the loss of a hedgerow, which would impact biodiversity;
- Design was not in keeping;
- It was believed that another house would overload the drainage system;
- Seven house holders had objected on the grounds of adverse effects, overdevelopment, and affecting current and future generations;

- The proposal should be refused because the harm outweighed the benefits.

Councillor Hunt said Mayfield Close had been built with proper gardens and amenity space for children to play in. The Council's Design Guide stated that plots should be 300m² and because the scheme fell short of this, the proposal was clearly overdevelopment which would ruin the character of the area.

He also had concerns about parking because West Fen Road was a very busy road. Having been on the site visit, the idea of cars backing out onto the road or turning around was unrealistic and dangerous. It would increase the chance of collisions, and this was not viable. He noted that people would be driving across the kerb, and as this belonged to the County Council, he said there should be evidence to show that they had the right to do this. In connection with this, he asked that work should not start until the access from West Fen Road had been established. The Senior Planning Officer replied that this issue was covered by Condition 11.

It was duly proposed by Councillor Hunt and seconded by Councillor Chaplin that the Officer's recommendation for approval be rejected for the following reasons:

- Highway safety;
- It was overdevelopment;
- Additional vehicles being parked in the road would be both inconvenient and dangerous; and
- Cars should be able to access the highway in forward gear.

Councillor Rouse said he had been sympathetic to the previous application and he believed all the issues had been addressed. Highways had raised no objections and if cars were parked dangerously, this could be addressed by yellow lines or by the Police. Cars already parked there and the plot was of an adequate size. He believed the proposal would enhance the street scene and he therefore supported the Officer's recommendation for approval. Councillor Hitchin endorsed Councillor Rouse's comments, adding that he wished to compliment the Officer and applicant for trying to find a solution.

The Committee returned to Councillor Hunt's motion for refusal. This was put to the vote and declared lost, there being 3 votes for and 7 votes against.

It was proposed by Councillor Rouse and seconded by Councillor Hitchin that the Officer's recommendation for approval be accepted. When put to the vote the motion was declared carried, there being 7 votes for, 2 against and 1 abstention.

It was resolved:

That planning application reference 15/01543/FUL be APPROVED, subject to the conditions as detailed in the Officer's report, and with the following additional condition:

15. Prior to commencement of work on the new dwelling hereby approved, the rear conservatory to 90 West Fen Road shall be demolished and the roof on the side sun room shall be lowered in height by 600mm. The works shall be carried out in accordance with the details shown on Drawing No. EDG/14/49/4 – A and the sun room shall thereafter be retained at that height.

Reason: To safeguard the character and appearance of the area and the residential amenity of future occupiers of 90 West Fen Road, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

92. **PLANNING PERFORMANCE REPORT – JANUARY 2016**

Rebecca Saunt, Planning Manager, presented a report (Q211, previously circulated) which summarised the planning performance figures for January 2016.

She said that the format had been altered to make it clear whether, in the case of appeals, decisions had been made under delegated authority, or by Committee.

Members were asked to note that 38 enforcement cases had been closed, including some of the old cases. In connection with this she placed on record her thanks to Julie Barrow, Senior Planning Officer and the Enforcement Team for all their hard work.

It was resolved:

That the Planning Performance Report for January 2016 be noted.

The meeting closed at 3.47pm.