



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 December 2015 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 Neil Hitchin
Councillor Bill Hunt
Councillor Mike Rouse (Vice Chairman)

OFFICERS

Julie Barrow – Senior Planning Officer
Jo Brooks – Director, Regulatory Services
Ruth Lea – Senior Lawyer, Peterborough City Council
Janis Murfet – Democratic Services Officer
John Pavey-Smith – Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Charles Roberts
Tony Taylorson – Communications & Media Manager
13 members of the public attended the meeting.

54. APOLOGIES AND SUBSTITUTIONS

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

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

55. DECLARATIONS OF INTEREST

Councillor Beckett declared a personal interest in Agenda Item No. 7 (15/00999/FUL – 51 Queensway, Soham, CB7 5BU) as the applicant was known to him.

Councillor Beckett declared a pecuniary interest in Agenda Item 8 (15/01121/FUL – Appleyard Farm, 1 Houghtons Lane, Isleham, CB7 5SR) and said he would withdraw from the Council Chamber prior to consideration of the application.

Councillor Bovingdon declared a personal interest in Agenda Item No 7, related to his place of employment. He wished it to be noted that the building had been sold prior to his involvement.

Councillor Bovingdon declared a pecuniary interest in Agenda Item No 10 (15/01189/FUL – Land Adj 2B Moor Road, Fordham, CB7 5LX) and said he would withdraw from the Council Chamber prior to consideration of the application.

With regard to Agenda Item No 6 (15/00986 – Land formerly 21 Newmarket Road, Stretham, CB6 3JF), Councillor Bill Hunt said he had already agreed in principle to the Community Land Trust (CLT) and supported it. However, he would approach the application with an open mind, taking into consideration this morning's site visit and the content of this meeting.

In connection with this, the Chairman advised the Committee that he had spoken to the Legal Department regarding the CLT and had been advised that there was no need for dispensations as the detail was already in the public domain.

With regard to Agenda Item No 9 (15/01183/FUL – 2 Main Street, Witchford, CB6 2HG), Councillor Austen stated that she knew the applicant's neighbours, but she had no special interest in the application.

56. **MINUTES**

Further to Minute No.52 (15/01071/OUT – Land rear of 90 West Fen Road, Ely), Councillor Hitchin asked that the penultimate paragraph on page 22 be corrected as it was significantly different to what he had said.

What he had meant to say was that he wondered if the applicant had been informed that inclusion of the whole site would make a more acceptable proposal, and whether this was before or after the application had been called in to Committee. Whereupon,

It was resolved:

That subject to the agreed amendment, the Minutes of the Planning Committee meeting held on 6th November 2015 be confirmed as a correct record and signed by the Chairman.

57. **CHAIRMAN'S ANNOUNCEMENTS**

- Members were asked to note that this was Tony Taylorson's last meeting. The Chairman wished him well on behalf of the Committee;
- On behalf of the Committee, the Chairman congratulated Julie Barrow on her promotion to Senior Planning Officer, saying it was pleasing to see an Officer whose career had progressed at the Council;
- The Chairman also offered congratulations on behalf of the Committee, to Rebecca Saunt on her promotion to Planning Manager.

58. **15/00586/FUL – ROSEWOOD STUD, FRECKENHAM ROAD, CHIPPENHAM, CB7 5QH**

Julie Barrow, Planning Officer, presented a report (Q127, previously circulated) which sought retrospective consent for the erection of a marquee for use in conjunction with functions such as weddings, parties, etc.

The following updated recommendation was tabled at the meeting:

"Members are requested to APPROVE this application subject to the recommended conditions below, the final details of which are to be delegated to the Planning Manager in conjunction with the Chairman:

1. *Approved Plans*
2. *Noise management plan*
3. *Noise limits*
4. *Limitation of number of events with amplified music*
5. *Drainage details."*

On a point of housekeeping, the Senior Planning Officer asked Members to note that the distance stated in paragraph 7.2.1 of her report should read 150 metres. She also stated that the number of events with amplified music was to be reviewed.

It was noted that the application had been called in to Planning Committee by Councillor Julia Huffer to ensure that people were able to see the application determined in an open forum.

The free standing marquee had been in place since June 2014 and was located in the corner of an existing paddock, adjacent to existing parking and to the north east of the equine facilities that form Rosewood stud. It was accessed using the existing access road within the site, leading from the public highway.

This application sought to regularise the use of the site for functions.

A number of illustrations were displayed at the meeting including a map of the application site, a location site plan, an aerial view, and two photographs in connection with visual and residential amenity.

Councillor Chaplin joined the meeting at 2.10pm.

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

- Principle of development;
- Visual amenity;
- Residential amenity; and
- Highway safety.

In summarising her report, the Senior Planning Officer reiterated that the application site was located outside of the established development framework but it did form part of an established equine complex. Policy EMP2 of the Local Plan related to proposals to expand existing businesses in the countryside and it was considered that this proposal represented a form of diversification from the equine activities taking place on site. Its contribution towards supporting a prosperous economy was a relevant consideration that attracted some weight in the planning balance.

The applicant was aware that there was a need for the use of the marquee for functions to be regularised, and also that the use of the remainder of the complex for equine related activities, rather than its use as a stud, required regularisation.

Members noted that Local Planning Authorities now had to have regard to the Planning Policy Statement issued on 31st August 2015 relating to Green Belt protection and intentional unauthorised development. However, as this application was received prior to publication of the Statement, the Statement did not apply and the retrospective nature of the application did not form a material consideration.

With regard to visual amenity, the proposal was not visible from the road and would therefore not have a harmful effect on the character and appearance of the site's setting in the countryside.

Policy ENV2 of the Local Plan required development proposals to ensure that there would be no significantly detrimental effect on the residential amenity of nearby occupiers. The Senior Planning Officer stated that the Council's Environmental Health department was not aware of any complaints from local residents in connection with the use of the marquee. Enquiries had also been made with Forest Heath District Council, but no complaints or concerns had been raised.

All dwellings on the stud complex were in the control of the applicant, including some recently approved holiday lodges. On balance it was considered that the residential amenity of nearby occupiers could be protected, subject to the imposition of suitable conditions.

The Local Highway Authority (LHA) was consulted and it had been noted that the Parish Council was concerned that there were several uses operating on the site, all of which generated traffic and vehicular movements. This application was being considered on its own merits, and further applications would be required to regularise the equine activities taking place. The LHA had confirmed that it had no objections to the proposal as the marquee had been in use for some months and no complaints had been received in respect of vehicular movements.

A small area of the access road was located within Flood Zones 2 and 3, but the remainder was outside of them and therefore the risk of flooding would be extremely low.

The applicant had stated that an entirely new septic tank was to be located on the site and that surface water would be disposed of via soakaways. The implementation of such measures, if not already carried out, could be secured by condition.

Natural England had no comments to make on the application and it was considered that the proposal would not have an adverse effect on the nearby Site of Special Scientific Interest (SSSI).

On balance the application was recommended for approval, subject to the updated conditions.

The Chairman informed Members that Don Proctor, agent for the applicant, was unable to attend the meeting but had asked if a statement could be read out on behalf of his client. The Democratic Services Officer duly read out the following:

*"This is a retrospective application for a marquee to provide for events adjacent to the Equine Complex at Rosewood Stud.
The marquee has been used on a number of occasions since it was first erected on site in Summer 2014 and these events have all been successful with no issues arising or complaints having been received.
The marquee itself is discreet and physically and functionally separate from the equine activities associated with the overall site.
It has its own parking area immediately adjacent which also acts as an overflow for the equine uses that is substantial and more than able to cater for all needs.
The management of the site would ensure in any case that equine events and events within the marquee would not be held at the same time if this would lead to potential conflicts.
The access to the overall site has been improved recently in terms of widening at the access and improved sight lines.
The site has the benefit of an operating license for events which has a number of conditions on timescales, etc in the normal way.
In amenity terms, the site is largely screened from public view by existing trees and hedgerows immediately adjacent to the site and on other field boundaries and the marquee is some distance from third party residential properties.*

It is also my client's intention to submit a separate and full application in the near future to regularise all uses within the equine site as a whole. I trust you will feel able to grant conditional approval for this application as recommended."

Councillor Hunt asked the Senior Planning Officer if the conditions would be tightened up and made more comprehensive, and she replied that they would. She would liaise with Environmental Health to achieve a balance between impact and what the applicant was entitled to, whilst taking into account other similar sites in the area.

Councillor Beckett said he had yesterday raised the point that the application site was a Nitrate Sensitive Area. The Senior Planning Officer replied that Environmental Health had said as this was a small development, it was unlikely to have an impact. She had also clarified with the agent that self contained toilet facilities would be brought on site for events. Councillor Beckett responded by commenting that the applicant had mentioned a new septic tank, and this was not "temporary toilets". The Senior Planning Officer assured him that this would be discussed with the applicant and Environmental Health.

Councillor Rouse thought that the scheme seemed to be a well managed complex in a wholly appropriate setting and he duly proposed that the Officer's recommendation for approval be accepted.

Councillor Hunt concurred that it was a good application, but felt that the applicant should be made to understand that a retrospective application was not the best way to run a business. It was, he agreed, a question of a balancing act, but he was concerned that this was becoming a modus operandi for this applicant. The agent himself had spoken of his client regularising all uses within the site, but there had been two retrospective cases, and Councillor Hunt hoped that this would now be an end to it.

Councillor Beckett disagreed that the application should be approved; he did not like retrospective applications, believing them to put the Planning department in a bad position. Referring to the agent's email, he said the marquee should have been included as part of an application for the whole site. Permission should be refused and the case brought back to Committee rather than the Authority being fed piecemeal.

The Senior Lawyer cautioned Members that although this was a retrospective application, they must consider the Officer's report as it was before them today and consider the impact of the proposal as though it was a fresh application.

The Chairman observed that there was an element of the application which lacked information in respect of highways and drainage, and he reminded Members that they had the option to defer determination in order to obtain more information.

Councillor Beckett commented on the fact that no traffic surveys had been conducted and he felt that there should be a Highway safety assessment. The Chairman remarked that one would be expected if this was

not a retrospective application. The Planning Manager interjected to say that if Members were so minded, they could defer the application, get the survey, and then bring the case back to Committee.

Councillor Cox said that having listened to the discussion, he believed the application was acceptable, subject to conditions, and he seconded Councillor Rouse's motion for approval.

When put to the vote, the motion was declared carried, there being 5 votes for, and 3 votes against. Whereupon,

It was resolved:

That planning application reference 15/00586/FUL be APPROVED, subject to the recommended conditions tabled at the meeting, the final details of which are to be delegated to the Planning Manager in conjunction with the Chairman of the Planning Committee.

59. **15/00986/FUM – LAND FORMERLY 21 NEWMARKET ROAD, STRETHAM, CB6 3JF**

Julie Barrow, Senior Planning Officer, presented a report (Q128, previously circulated) which sought permission to erect 25 dwellings, provide a toddler play space (TOP) and associated landscaping. It would form phase 3 of a scheme previously approved that was under construction by the applicant on behalf of Stretham & Wilburton Community Land Trust (CLT).

On a point of housekeeping, Members' attention was drawn to an updated set of draft conditions which were tabled at the meeting.

The application had been called in to Committee at the request of Councillor Beckett, so that it could be dealt with in the interest of public scrutiny, due to the necessary involvement of Councillors.

Members noted that the scheme of 25 dwellings would provide a mix of affordable (32%) and market (68%) dwellings. The designs reflected those of the approved phases 1 and 2, and were of a modern design using materials that reflected the edge of village/semi-rural location.

A number of illustrations were displayed at the meeting. These included a map of the application site outlining the second phase of the development, an aerial view, an illustrative of the previously approved scheme in relation to the application site, and a number of slides showing the design of the dwellings.

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

- Principle of development;
- Residential amenity;
- Visual amenity and historic environment

- Highway safety; and
- Ecology and biodiversity.

In summarising the main points of her report, the Senior Planning Officer reminded the Committee that the Council could not currently demonstrate that it had a five year housing land supply and therefore all applications for new housing should be considered in the context of the presumption in favour of sustainable development. Members were told that the application of Policy GROWTH 6 would assist in assessing the community benefits of the scheme, and they were shown a slide which set out the requirements of the policy.

Speaking of residential amenity, the Senior Planning Officer said that a wildlife buffer had been included between the rear of existing dwellings on Sennitt Way and a number of dwellings that would back on to this boundary. This area would not be accessible to the public, but would have the benefit of enhancing biodiversity in the area and increasing the back-to-back distance to the existing dwellings on Sennitt Way that had short rear gardens. The play area had been reconfigured to reduce the likelihood of noise nuisance occurring in respect of existing dwellings. Amendments had also been made to the layout to reduce the potential for overlooking.

The Committee noted that the application site was on the edge of the village and the design was in keeping with phase 1 and the existing built form. A condition could be imposed requiring a landscaping scheme, and including a management plan for the future.

The site was located a sufficient distance from the Conservation Area that it was considered the proposal would not have an adverse impact on the historic environment.

With regard to highway safety, it was noted that there had been discussions with the Local Highway Agency (LHA), and the applicant had sought to address a number of issues raised. The roads within the layout would be constructed to adoptable standard, but the applicant's agent had confirmed that the roads would remain private and would not be offered for adoption; they had been designed to accommodate refuse and emergency services vehicles. Bollards to restrict access to Sennitt Way would be secured by condition. In terms of parking provision, the developer had accorded with LPA policy; there would also be space for wheelie bins, and garden sheds for cycle storage. It was therefore considered that there were no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme.

Turning to other material matters, the Senior Planning Officer said that the applicant had submitted sufficient information in relation to biodiversity and ecology, flood risk and contamination. These considerations would be adequately addressed, subject to appropriate conditions.

It was noted that the applicant had committed to addressing energy and water efficiency, and had had regard to the RECAP Waste Management Design Guide. Public open space was to be provided on site and the applicant had agreed to an off-site contribution, to be secured by means of a

S106 Agreement. On balance, the benefits of the scheme outweighed the potential harm and the application was therefore recommended for approval.

At the invitation of the Chairman, Rowan Haysom, architect for the applicant, addressed the Committee and made the following points:

- This application was an extension to Manor Farm and the project would be a unique opportunity for people to shape their village;
- There had been a thorough community engagement process to capture the design, during which they had found out which parts would work best;
- The historical process had been considered;
- There would be nine different housing types with additional footpaths to the centre of the development;
- The creation of a public route would give safe access to the site;
- If the application was approved, land value would be reinvested, the dwellings would be added to the existing asset base and only delivered through the CLT;
- This was enshrined in the NPPF and the process represented the way forward.

Mr Haysom then responded to a comment from Councillor Beckett. Referring to the housing mix, Councillor Beckett said he was surprised not to see 3 bedroom houses included in the application. Mr Haysom replied that the mix was based on need, as feedback had indicated a strong demand for 1 bedroom houses in the village.

At the invitation of the Chairman, Councillor Charles Roberts addressed the Committee in his capacity as Chairman of the Stretham & Wilburton Community Land Trust, and Chairman of Stretham Parish Council; he made the following remarks:

- He commended the Senior Planning Officer on her excellent report;
- The proposal had been fantastically well consulted, with support coming from the Design Council as well as the local school and church;
- This represented a move from a community not wanting a CLT to one that did want one;
- The community would see the real benefit because the scheme would provide homes for local people;
- The open market houses were attracting tremendous interest;
- Since phase 1 there had been a real “buzz” and support for the CLT and not just for the affordable housing. There were 50 names on the list and most were eligible;

- The scheme had been extremely well consulted, was very well supported and was really needed.

Councillor Hunt said that being the other Ward Member for Stretham, he had listened to the people in the village and could confirm that they were delighted with the scheme. There were, he felt, some things which set it apart, such as the main spine road being up to County Council standards, the elderly not having to wheel their refuse bins out to the road, and the emergency services being able to approach the houses. This development was putting in 32% affordable housing, which was above the desirable level of 30%. The wildlife buffer would help to make the residents comfortable and would bring biodiversity benefits. He wished to put on record his support for the proposal.

Councillor Beckett said he too supported the scheme, and that the affordable housing would remain with the CLT in perpetuity. He was very pleased that this had come forward to join with phase 1 of the development. However, he believed that the Council had a duty to ensure that everything was done well if the development was to become a showpiece – it should be exemplary.

He continued, saying that while the Committee knew the scheme was viable, he had concerns regarding the drainage. There were houses very close to the ditch to the north east of the site, and it made him think of particular developments in Soham and Littleport where the drainage could not be maintained. He believed there should be a 5 metre open space alongside the ditch and he asked for this to be conditioned.

The Chairman reminded him that drainage was addressed at item 10 in the list of draft conditions, and besides which, he thought that this would be an unreasonable condition. The Planning Manager added that a 5 metre strip would alter the layout of the proposal and could not be conditioned; Members were being asked to consider what was in front of them today.

Councillor Rouse thought the scheme made a great deal of sense in conjunction with the CLT because it was well designed, well consulted and a very exciting project. He duly proposed that the Officer's recommendation for approval, with the updated draft conditions, be accepted; the motion was seconded by Councillor Hunt.

Councillor Hitchin declared the application to be a fine proposal and project. However, he echoed Councillor Beckett's concerns regarding drainage, saying that a policy outside of the proposal was needed to address the issue of drainage.

When put to the vote, the motion was declared carried, there being 8 votes for and 1 vote against.

It was resolved:

That APPROVAL of planning application reference 15/00986/FUM be delegated to the Planning Manager, following the completion of a S106 and subject to the updated draft conditions tabled at the meeting, (with any minor revisions to the conditions being delegated to the Planning Manager).

60. **15/00999/FUL – 51 QUEENSWAY, SOHAM, CB7 5BU**

Jon Pavey-Smith, Planning Officer, presented a report (Q129, previously circulated) which sought consent for the construction of a two storey dwelling together with a new parking area.

The application site was located within the development envelope of Soham and currently comprised the garden of No 51 Queensway. This was a residential area made up of ex local authority housing stock. The dwellings immediately to the north west of the site were single storey with a footpath linking the road to the front of the plot to the dwellings to the north. There was a mature hedgerow to the front of the site which helped to screen it from the road.

It was noted that the application had been called in to Planning Committee by Councillor Derrick Beckett.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial view, the layout and design of the proposal, and photographs relating to residential amenity and trees.

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

- Presumption in favour of sustainable development;
- Residential amenity;
- Visual amenity/impact on the street scene;
- Design;
- Impact on highway safety; and
- Ecology.

The Planning Officer reiterated that the Council could not currently demonstrate that it had a five year housing land supply and therefore all applications for new housing should be considered in the context of the presumption in favour of sustainable development, as set out in the NPPF. The site was considered to be in a sustainable location.

In connection with residential amenity, it was considered that the proposal would have some impact on the level of light and oppressiveness felt to both No.51 and No. 53 Queensway. However, it had to be taken into account that these two dwellings only had small non habitable windows in their side elevations facing the proposed dwelling, with their main outlook being to their own rear elevations. In addition there was a 6 metre gap between the side elevation of No.51 and the proposed dwelling, and an 8 metre gap between No. 53 Queensway. This was deemed sufficient distance to retain an acceptable level of residential amenity.

With regard to visual amenity, it was noted that at the pre-application stage, the developer was reminded of the Design Guide statement regarding the size of building plots, and that the pre-application enquiry did not appear to meet the criteria. However at 221m², the proposal was close to the guide of 300m² and there appeared to be room to accommodate a very modest dwelling on the plot.

An application was submitted for a three bedroom en-suite property and Officers requested that the dwelling be reduced substantially in size. The applicant chose not to reduce the size, but instead to increase the size of the plot to 250m² by taking more of the side garden from No.51 Queensway for the proposed dwelling's own amenity space.

This refusal to reduce the size of the dwelling had led to a development that would be cramped in nature and the proposal was therefore considered to be contrary to Policy ENV2 of the Local Plan.

In terms of design, the dwelling was of a simple and uniform design which mirrored the style of the surrounding properties. The materials were seen to be acceptable and the proposal would therefore comply with Policy ENV2 of the Local Plan and guidance contained within Policy 7 of the NPPF.

The LHA was satisfied that the proposal would not have a significant adverse effect on the public highway; there was provision for two parking spaces to the front of the dwelling and therefore the scheme complied with Policies COM7 and COM8 of the Local Plan.

With regard to ecology/trees, although there would be the removal of the hedge to the front of the site for vehicular access, the Trees Officer had not raised any objections to the proposal. It was recommended that if permission was granted, there should be a condition to ensure that a degree of green landscaping and the replacement trees were maintained.

In summing up his report, the Planning Officer said that although the proposal would provide an additional dwelling to the District's housing stock, the application would represent a cramped and contrived unacceptable form of development, which would detrimentally harm the character and appearance of the area. Such harm attracted weight in the planning balance, such that it outweighed the benefits of the proposal and the proposal was therefore recommended for refusal.

At the invitation of the Chairman, Paul Mitchell, architect for the applicant, addressed the Committee and made the following points:

- They had been close to agreement on the application. The Planning Officer had requested a 2 bedroom house, but his client proposed a 3 bedroom house;
- The Supplementary Planning Guidance was neither national planning policy nor East Cambridgeshire policy and the plot size stated in the Design Guide was only a recommendation;
- The NPPF said that each case should be taken on its own merits;

- This was not a small piece of land for one house and one bedroom had been added to the proposal;
- A larger plot size, all within the red outlined area had been offered;
- It exceeded the back garden size, being 5/6ths of the plot size;
- The design and the parking spaces were acceptable;
- The new dwelling would be below the 300m² plot size, and 300m² was only a guide.

Mr Mitchell concluded by asking Members to judge on the merits of a 3 bedroom house.

Councillor Beckett said he had called this application in to Committee because of the confusion surrounding the plot size, and because he believed it would benefit from being discussed in public. Although it fitted in with what was being looked for, the plot size was being queried, and the location was another matter.

Councillor Hunt said he was sure Mr Mitchell would be aware that under 10% of cases were brought to Committee, and it was right that this case was called in, so that common sense could be used. He thought the site was too cramped and small for a 3 bedroom house; the donor house would have tandem parking and its amenity space would be very marginal. Having been on the site visit, he had noted that the roads were blocked, even in the middle of the working day. He believed the proposal was a step too far and he therefore supported the Officer's recommendation for refusal.

Councillor Rouse believed that the plot could accommodate a smaller, well designed house, and he was not convinced that agreement had nearly been reached regarding a larger dwelling. A smaller house could enhance the area and would take less from the host dwelling, but he felt that this proposal was a step too far and he supported refusal of the application.

It was duly proposed by Councillor Chaplin and seconded by Councillor Austen that the Officer's recommendation for refusal be accepted. When put to the vote, the motion was declared carried, there being 7 votes for and 2 abstentions.

In response to a comment from Councillor Beckett, the Planning Manager confirmed that the Design Guide was being reviewed. Whereupon,

It was resolved:

That planning application reference 15/00999/FUL be REFUSED, for the reason as detailed in the Officer's report.

At this point, Councillor Beckett vacated the Chamber.

61. **15/01121/FUL – APPELYARD FARM, 1 HOUGHTONS LANE, ISLEHAM, CB7 5SR**

Rebecca Saunt, Planning Manager presented a report (Q130, previously circulated) which sought permission for a detached four bedroom dwelling, with detached garage, which would be accessed from Houghtons Lane.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial view, the layout and design of the proposal, and a photograph relating to residential and visual amenity.

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

- Principle of development;
- Residential amenity;
- Visual amenity;
- Historic environment;
- Highways; and
- Flood risk.

The Planning Manager reiterated that the Council could not currently demonstrate that it had a five year housing land supply and therefore all applications for new housing should be considered in the context of the presumption in favour of sustainable development, as set out in the NPPF. Other policies remained relevant, as did material planning considerations.

The application site was located within close proximity to the established development framework of Isleham, in a settlement with a range of services. The site was therefore considered to be in a sustainable location.

In terms of residential and visual amenity, the proposal was not overbearing and there would be no overlooking. The plot size, amenity space and size of the proposed dwelling was in accord with the Design Guide, and the siting, scale and proportions related sympathetically to its surroundings.

Members noted that the proposal was not located in a conservation area and there were no listed buildings within its vicinity.

There were no issues of highway safety or flood risk and therefore the application was recommended for approval, subject to the recommended conditions, as set out in the report.

Councillor Rouse said he thought this to be a perfectly acceptable scheme, and he duly proposed that the Officer's recommendation for approval be accepted. Councillor Hunt seconded the motion, adding that he was confident that Officers would tie up any "odds and ends".

The Chairman expressed his support for the proposal, saying that he shared and agreed with the comments made by his colleagues. This was a sustainable location and there would be no detrimental impact.

When put to the vote, the motion was declared carried and,

It was resolved unanimously:

That planning application reference 15/00950/FUL be APPROVED, subject to the conditions as detailed in the Officer's report.

Councillor Beckett re-entered the Chamber at 3.34pm.

62. **15/01183/FUL – 2 MAIN STREET, WITCHFORD, CB6 2HG**

Jon Pavey-Smith, Planning Officer, presented a report (Q131, previously circulated) which sought consent for the construction of a two storey dwelling together with a parking area and a new access. The vehicular access would run between No.2 Main Street and the neighbouring bungalow, known as Little Mead.

It was noted that the application had been called in to Planning Committee by Councillor Joshua Schumann.

On a point of housekeeping, Members were asked to note two corrections to the Officer's report. The second sentence in paragraph 7.10 should have been deleted, and paragraph 7.11 should read "*On balance, the proposed **dwelling** ...*"

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial view, the layout of the proposal, and the design of the proposed dwelling.

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

- Principle of development;
- Residential amenity;
- Backland development;
- Design;
- Highway safety; and
- Drainage.

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.

An objection had been received from the occupiers of No.4 Main Street on the grounds of overlooking from the bedroom window in the southern elevation. However, the proposed bedroom window was 20 metres from the rear elevation of No.4 Main Street and at an obscure angle compared to the proposed dwelling. It was therefore considered that the residential amenity of No.4 Main Street would be retained to an acceptable level. On balance, the proposed dwelling was considered to comply with Policy ENV2 of the Local Plan, as whilst there would be some impact on the residential amenity of neighbouring properties, this impact was not sufficient to warrant a reason for refusal.

The Planning Officer reminded Members of the circumstances in which backland development would be considered acceptable. It was noted that there had not been a contextual analysis submitted with the proposal and no evidence had been submitted to show that the proposal would not be at odds with the settlement pattern of Witchford in this location.

Development at the rear of No.2 Main street would also potentially set a precedent for further housing development at the rear of No's 4 and 6 Main Street. Cumulatively, if this was allowed to occur, it would have a detrimental impact upon the character of the locality. It was therefore considered that the application did not accord with Policy ENV2 of the Local Plan.

Although Officers had concerns that the design of the dwelling was not in keeping with the surrounding dwellings on the northern side of Main road, the proposed dwelling would be well screened by the existing dwellings to the front of the road. In addition, the existing mature trees to the front of the site would also help to screen the dwelling.

In terms of highway safety, the proposal included sufficient space for two vehicles to park within the application site. There was also space for vehicles to manoeuvre and leave the site in forward gear. It was therefore considered that the proposal complied with Policy COM7 in relation to access to the highway network, and Policy COM8 in relation to parking provision. If Members were minded to approve the application, the LHA had recommended the addition of a number of conditions relating to visibility and the materials to be used for the access.

The Planning Officer concluded by stating that the adverse effects of the proposal outweighed the benefits and it was therefore recommended for refusal.

At the invitation of the Chairman, Amy Richardson, agent for the applicant, addressed the Committee and made the following points:

- This application was for a house for the LeBrun's son;
- He wished to stay in the village but housing was too expensive and so his parents had offered their rear garden to help him get on the property ladder;
- This offered the chance of a sustainable development with social and economic benefits that would provide a home for his family;

- The proposal was high quality, in keeping with the surroundings and would enhance the natural built environment;
- It would echo the main building;
- There was already a prominent timber clad building in Main Street so this would not be out of keeping;
- The Council's Design Guide was a guide only;
- 17 metres window to window was acceptable, and there was sufficient amenity space to retain an enjoyable expectation;
- The application would not set a precedent and should be judged on its own merits;
- The fear of setting a precedent should not be a reason for refusal;
- The Parish Council had not objected and there was no harm or overlooking;
- Concerns regarding the distance between No.2 Main Street and the proposed dwelling could be addressed by means of conditions or an amended plan.

Councillor Rouse remarked that in terms of the general form and character of the area, there was a mix of housing opposite the application site. The site was large and could take a modest dwelling; it had the potential for good access and would provide a family home. He believed the scheme to be perfectly sustainable and said he would oppose the Officer's recommendation as he thought it was weak on refusal.

Councillor Beckett concurred, saying that he too struggled with the reasons given for refusal and given what he had heard during the meeting, he would go against the recommendation.

Councillor Bovingdon agreed that the application should be granted approval; it had been demonstrated that the house was within the development boundary, and he did not think the design could be called bland.

Councillor Hunt said that whilst he had much sympathy with the Officer's view, he queried the reasons for refusal on a number of points. The building would be within the development boundary, it would not be cramped, he did not think it would set a precedent, it would be subservient to the host dwelling, and there were no objections from the LHA. On this basis, he proposed that the Officer's recommendation for refusal be rejected.

Councillor Rouse seconded the motion and when put to the vote, it was declared carried, there being 8 votes for and 1 abstention. Whereupon,

It was resolved:

That planning application reference 15/01183/FUL be APPROVED for the following reasons:

- 1) The building will be within the development boundary;
 - 2) It will not be cramped;
 - 3) Members do not believe it will set a precedent;
 - 4) It will be subservient to the host dwelling;
 - 5) The Local Highways Authority has not raised objections,
- and that the conditions be delegated to the Planning Manager.

At this point, Councillor Bovingdon vacated the Chamber.

63. **15/01189/FUL – LAND ADJACENT 2B MOOR ROAD, FORDHAM, CB7 5LX**

Julie Barrow, Senior Planning Officer, presented a report (Q132, previously circulated) which sought consent for the construction of a single storey dwelling on land adjacent to 2B Moor Road, Fordham. The proposed dwelling was of a similar style and design to that of No. 2B and would be located in the north eastern corner of the site with access via a newly created entrance off Moor Road. The proposal incorporated landscaping into the scheme.

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

- Principle of development;
- Visual amenity;
- Residential amenity;
- Highway safety; and
- Biodiversity and ecology.

It was noted that the site was located outside of the established development framework of Fordham in an area of countryside but adjoined the settlement boundary in a number of places. The site was therefore considered to be well connected to the settlement, alongside a number of residential dwellings and within close proximity to the facilities and services on offer in the village.

The Senior Planning Officer reiterated that the Council could not currently demonstrate a five year supply of housing land and therefore all applications for new housing should be considered in the context of the presumption in favour of sustainable development. However, this did not remove development envelopes, but it did restrict the application of Policy GROWTH 2 within the Local Plan. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the proximity of the site to the settlement boundary was considered to be sufficient to consider the site as being in a sustainable location.

With regard to visual amenity, it was considered that the proposal reached a satisfactory compromise between the construction of a sensitively designed dwelling in an edge of settlement location whilst retaining some feeling of openness and not enclosing the site entirely. The proposal did not constitute uncoordinated piecemeal development and would not set a precedent for further development on Moor Road. It was considered to comply with Policies ENV1 and ENV2 of the Local Plan.

The proposal would not have a detrimental impact on the residential amenity of nearby occupiers and it was therefore considered to comply with Policy ENV2 of the Local Plan.

Members noted that there had been no objections from the LHA. The applicant proposed to create a new access onto Moor Road, and there would be sufficient room to manoeuvre within the site to enable vehicles to leave in forward gear. There was sufficient space to the front of the dwelling to park several vehicles and the proposal was therefore considered to comply with Policies COM7 and COM8 of the Local Plan.

In connection with biodiversity and ecology, some planting on the site of the new access would have to be removed. However, the applicants did not intend removing any significant trees and the proposed dwelling was sited some distance from an Ash tree that had been marked on the submitted plans. The implementation of tree protection measures in respect of this tree could be secured by condition.

The applicants intended planting additional trees and hedgerow to the east and south of the dwelling and the submission of a detailed planting and maintenance scheme could be secured by condition. They had also indicated that bat and owl boxes would be fitted to an existing barn on the western boundary. The proposal was therefore viewed as an opportunity to enhance biodiversity on the site and the proposal was considered to comply with Policy ENV7 of the Local Plan in this regard.

Speaking of other material matters, the Senior Planning Officer stated that the applicants had incorporated energy and water efficiency elements into the scheme, including solar panels and rain water harvesting. The internal layout of the dwelling had been designed to maximise the benefits of a south facing elevation. The proposal was therefore considered to be in compliance with Policy ENV4. Surface water drainage details and contamination risk assessment could be secured by condition.

On balance it was considered that the benefits of the proposal outweighed any minor adverse effects on the character and appearance of the area and the application was recommended for approval.

At the invitation of the Chairman, Fiona Regan spoke in objection to the application, and made the following comments:

- The Design & Access Statement contained a seriously misleading quote; 54% referred to the number of people who responded, not the population of the village;
- Paragraph 7.1.1 of the Officer's report was standard phraseology;

- She agreed with paragraph 7.1.4 as she did not see there being a special need for what was a speculative venture into open countryside;
- She did not agree with paragraph 7.1.5, as the dwelling would not be in sufficiently close proximity to the settlement boundary;
- With reference to paragraph 7.3.5, this was piecemeal development and it would set a precedent. It would give the applicants the green light for further development and would not protect the development edge;
- This was a greenfield site in open countryside and the dwelling would be a major intrusion;
- She disagreed that there was not a five year supply of land for housing. There were more suitable sites elsewhere eg. Mildenhall Road 10 houses, 4 detached houses on the Fordham Road, in designated areas;
- The development envelope had been set out in the Local Plan to prevent sprawl into the countryside, and she was therefore asking the Committee to refuse the application.

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

- He wished to emphasise that the acceptability of the scheme was dependent on the Council's lack of a five year supply of land for housing. Paragraph 49 of the NPPF spoke of a presumption in favour of sustainable development, and as a consequence, the application should be judged on its sustainability;
- The application site was on the north side of land currently being used as paddocks;
- The proposal would not extend the development envelope any further and it would constitute a logical rounding off of the area;
- This would be a new single storey dwelling with energy efficiency features and it would not set a precedent;
- With reference to previous refusals of permission, only 2005 related to this site and it was based on housing policy rejection. This was no longer valid and the Parish Council accepted that;
- The proposal was a sustainable development and should be granted permission as per the recommendation.

Councillor Hunt said he believed the proposal was encroachment into the countryside and to grant permission would set a precedent. He did not think there was a strong enough case for approval, and weight should be given to the fact that the site was not in the Village Vision. He duly proposed

that the Officer's recommendation for approval be rejected and the application be refused.

The Chairman reminded Members that the NPPF's "*presumption in favour of sustainable development*" was often quoted but it did not override other considerations. He cautioned the Committee to be mindful of the NPPF and to be robust in their reasons for refusal if they went against the Officer's recommendation.

Councillor Rouse declared his support for approval of the application, saying he thought the dwelling would sit nicely in its location.

Councillor Austen seconded Councillor Hunt's motion for refusal, and when put to the vote, the motion was declared carried, there being 5 votes for and 3 votes against. Whereupon,

It was resolved:

That planning application reference 15/01189/FUL be REFUSED, for the following reasons:

- 1) It is encroachment;
- 2) It would set a precedent;
- 3) It will harm the character of the countryside;
- 4) There is no strong reason to support the application;
- 5) It will be visually detrimental to an attractive scene; and
- 6) It is against the Village Vision.

Councillor Bovington re-entered the Chamber at 4.20pm

64. **PLANNING PERFORMANCE REPORT – OCTOBER 2015**

Rebecca Saunt, Planning Manager, presented a report (Q133, previously circulated) which summarised the planning performance figures for October 2015.

The figures included all types of planning applications and were broken down under the following headings: Validation; Determinations; Applications determined by type; Applications determined on time; Appeals; and Enforcement.

The Chairman reminded the Committee that they would receive a monthly report, but due to the information being collated at the end of each month, the figures would be two months in arrears.

Councillor Cox requested that the quality of the documents provided to Councillors on the Planning Committee be discussed, as sometimes they were not very clear and this made it difficult to read them.

Councillor Beckett repeated his request that the issue of open space by ditches be reviewed. He also asked that any changes made to

applications that came before Committee should be reported back to the Committee.

The Planning Manager said she had noted all these points and would act on them.

It was resolved:

That the Planning Performance Report for October 2015 be noted.

The meeting closed at 4.30pm.