



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange, Nutholt Lane
Ely on Wednesday, 3rd February 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)
Councillor Lisa Stubbs

OFFICERS

Julie Barrow – Senior Planning Officer
Claire Braybrook – Environmental Health Officer
Jo Brooks – Director, Regulatory Services
Maggie Camp – Legal Services Manager
Barbara Greengrass – Senior Planning Officer
Ruth Gunton – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

45 members of the public attended the meeting.

73. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillor Tom Hunt.

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

74. DECLARATIONS OF INTEREST

Councillor Bovingdon declared an interest in Agenda item No.11, as he was acting as agent for his client in respect of another matter.

75. **MINUTES**

It was resolved:

That the Minutes of the Planning Committee meeting held on 6th January 2016 be confirmed as a correct record and signed by the Chairman.

76. **CHAIRMAN'S ANNOUNCEMENTS**

- The Chairman welcomed Barbara Greengrass, Senior Planning Officer, to her first meeting of the Planning Committee;
- Members were asked to note that the decision on St John's Avenue, Newmarket, had been overturned at appeal and permission granted.

77. **15/00802/VAR – FENLAND MODEL CLUB, HIVE ROAD, WITCHAM, CB6 2LE**

Julie Barrow, Senior Planning Planning Officer, presented a report (Q178, previously circulated) which sought permission to vary a number of conditions imposed on the planning permission for the change of use of land for flying model aircraft (12/00882/FUL refers).

The request in relation to conditions 1, 2, 5 and 11 was required as the club wanted to change its name from "Fenland Flying Club" to "Ely Model Aircraft Club". The reason given for the request was "geographical clarity".

The request in relation to condition 8 sought to change the hours of flying for electric models in order to meet the needs of members with work, school and travel commitments. Paragraphs 2.5 to 2.7 of the Officer's report set out the details of the existing and proposed hours of operation.

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

Councillor Hitchin joined the meeting at 2.06pm.

The application site was located in the countryside between Witcham and Wardy Hill and it was accessed from an unmade track which linked the two settlements. Within the site there was a flying area and an area used for car parking. The flying area had a marked runway and taxi areas, and the runway ran north south with the taxi area linking it to the launch areas and pits.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial photograph showing the location of the site in relation to the settlements of Wardy Hill and Witcham, and a photograph indicating the proximity of the site to the nearest dwelling.

Members were reminded that the main consideration in the determination of this application was balancing the needs of the club against

the residential amenity of nearby residents and also the enjoyment of visitors to the surrounding countryside.

The Committee noted that when the previous application was determined, very careful thought was given to the flying times for the model planes, and it was the requested change to these hours of operation that was of most concern.

As Officers were unable to successfully assess the impact of the planes upon the residences within Wardy Hill, it was suggested to the applicant that a way forward would be a temporary permission to vary the hours for a limited period as a trial run. The applicant was advised that in Officers' opinion, extending the hours until dusk would be likely to have a harmful effect upon the amenity of nearby residents. Concerns were also expressed regarding the imprecise nature of the term "dusk".

Discussions between the Club, Environmental Health and the then Planning Manager included the consideration of conditions imposed on other clubs operating outside of East Cambridgeshire and a revised proposal (paragraph 2.7 refers) was agreed by all parties. This variation would be for a temporary period of one year which would provide the Club with the opportunity to demonstrate whether or not the site could be successfully used during the extended hours without having an adverse impact on the amenity of local residents and the users of the nearby public rights of way and bridleways. This temporary permission would allow for monitoring and investigative work. A further application would be required to extend the hours on a permanent basis.

There would be no visual change to the site and the application would have no more impact upon visual amenity than the existing use of the site.

The Local Highways Authority had raised no concerns in relation to the application and residents had not raised highways as a concern.

The Senior Planning Officer reiterated that the Club was still bound by condition to operate the site in accordance with the relevant codes of practice, the original conditions on the planning permission (which permission was not sought to vary) and British Model Flying Association Members Handbook.

Local residents had raised concerns that the signage required by 12/00882/FUL was not being maintained; the Club responded by stating that new signage was erected in September 2015 and provided photographs of the new signs.

Councillor Chaplin joined the meeting at 2.10pm.

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

- He lived in Wardy Hill, some 800 metres from the site;
- Officers had negotiated reasonable times at the last application. It was a generous amount of time and there was no reason to change it;

- Aircraft could be flying for up to 16 hours at weekends and the claim that the electric ones were very quiet or silent was misleading. Some had an unpleasant, penetrating whine;
- Only silent models should be allowed, but the Club had said this was impossible;
- The flying times should not be extended;
- The club was affiliated to the British Model Flying Association (BMFA);
- There had been a number of incidents, putting the public at risk on the Public Right of Way. In 2014, Mrs Scott and her daughter were riding along the bridleway and they were buzzed by an aircraft. This appeared to be deliberate. The plane was being flown without a lookout and was not being operated in a safe and responsible manner;
- Others did not dare use the Public Right of Way;
- If those flying planes could not see the horses, then they should not fly after sunset. Flying should cease at sunset, the timing of which was made clear in published tables;
- This proposal would allow flying after sunset for 38 weeks of the year and the Club would prefer to have no restrictions;
- He did not want to spoil anyone's fun, but people should not have to wait until 8.30pm for flying to stop.

In response to a question from Councillor Hunt, Mr Foster confirmed that the site immediately abutted the byway; the byways had been there for hundreds of years and were well established. When asked by Councillor Hunt if flying was restricted to the area of the airfield, Mr Foster stated that the model aircraft also flew over the bridleway and farmland, sometimes as low as head height.

At the invitation of the Chairman, Mr Andrew Symons, accompanied by Mr Andy Colebourne, addressed Members in support of the application:

- Mr Symons was a member of the BMFA and he had a post-graduate diploma in acoustics;
- The Association had 36,000 members;
- He fully supported the application. The variation to Conditions 1,2,5 and 11 were very much an administrative matter;
- With regard to Condition 8, the Club was fully compliant in respect of noise;
- Electric engines were substantially quieter than combustion engines and more experienced members of the Club were switching to electric models because it would give them more flying hours;
- The proposal would have no negative impact on residential amenity;

- Permission on a 12 month temporary basis would provide an opportunity to monitor activities and he was willing to conduct site visits;
- The Club was 20 years old and operated in a managed environment;
- The application accorded with local policies and the National Planning Policy framework (NPPF);
- There had been no complaints about noise to the club;
- The Club was keen to encourage younger members and an increase in hours would be beneficial to members who worked full time;
- The sport was ideally suited to older members and was in keeping with the Council's Mature & Active Programme;
- The Club complied with the requirements of the Civil Aviation Authority;
- There was no need for a safety marshal.

Mr Symons and Mr Colebourne then responded to comments and questions from Members.

Councillor Rouse wished to know how many members the Club had, and how often they flew their planes. Mr Colebourne replied that membership tended to rise during the year, with approximately 40 – 50 members by the end of the year. Some people joined but did not fly and there were usually 4 or 5 people flying during the week, with possibly more at weekends.

Councillor Beckett enquired about the range of the aircraft and Mr Symons informed him that it was beyond the line of sight, about 200 metres. Councillor Beckett then spoke of Mr Foster's concern regarding planes being flown in the dark, and Mr Colebourne replied that this would not happen because the current stop time was 7.00pm and they would stop flying at dusk, if before 7.00pm.

Councillor Stubbs said that as a Ward Member for Sutton, she had been made aware of residents' concerns. She raised the point that, according to the Club's procedures, there should be a designated representative present to supervise when flying took place. Mr Symons replied that as far as he was aware, the Club was fully compliant. Councillor Stubbs then said that there should be a log and asked if this was maintained; Mr Colebourne said that the Council had seen the log.

Councillor Hunt had a number of questions relating to the noise generated by the aircraft being flown. He asked if it was the case that some models were noisier than others and Mr Colebourne replied that every model had a level of noise; the electric ones were quieter but their noise levels varied. Councillor Hunt next asked if it was possible to check noise levels and Mr Colebourne said that the BMFA had a system to measure sound.

Councillor Chaplin, having noted that the site measured $\frac{1}{4}$ of a hectare, asked about the normal size for an airfield. Mr Symons said there

was no “normal” size, and the strip at Witcham was 50 x 20 metres. Councillor Chaplin said he had queried this as he was worried about flying distances, which could be 12 hectares. He was most concerned because he felt this raised questions regarding safety. Mr Symons replied that the risk was very small and there had been very few incidents. Airspace was not owned by landowners, and the craft would not be flying over people.

Councillor Cox remarked that having had the pleasure of being a modeller in the past, he knew that the control of craft was now more secure than it had ever been.

Councillor Bovingdon wished to know if there was a set flight path, to which it was responded that the flight path depended on the wind and the weather.

The Chairman reminded the Committee that Councillor Mike Bradley, a Ward Member for Downham Villages, had commented on the application and asked that his comments be circulated to the Members of the Planning Committee ahead of this meeting.

At the invitation of the Chairman, Councillor Anna Bailey, a Ward Member for Downham Villages addressed the Committee and made the following points:

- Prior to February 2013, the complaints about the Club dated back to 2010. They were mainly regarding the byways and people were advised to keep a log;
- The Club had worked with the Planning Officers and Environmental Health on the last application. As stated in paragraph 7.2.2, careful thought was given to flying hours and at the time, they were considered to be generous;
- There was anecdotal comment that things seemed to be running more smoothly and the one year trial would allow for monitoring to take place;
- She did not know about the noise levels, but two noisy models had been cited;
- Officers had not recommended restrictions, but if future users of the Club had noisy models, it could cause problems;
- This was a worry which needed to be considered, and it was why she had asked for the application to come to Committee.

Councillor Hunt said it had been suggested that extending the flying hours would increase the membership of the Club, and he asked the Senior Planning Officer if the hours would be busier than at present. She replied that this did not necessarily follow because there would still be the condition regarding the number of planes that could be in the air at any one time. Councillor Hunt then asked who would carry out the monitoring and at what cost, in the event that temporary permission was granted. The Senior advised Members that the Council would be responsible for this.

Councillor Hunt said he was glad that Members had been given the opportunity to debate the application. He believed a balance had to be struck between recreational activity and residents' amenity. There were quite a lot of flying hours and residents did not have a choice as to when they could go out in their garden. Flying took place outside the boundaries of the facility and he was very concerned about local people being able to enjoy the ancient droves; if the hours were extended, it would be very difficult. He believed it would be a nightmare to police the activity. It seemed to him that if the Club wanted more members, they would attend in the evenings, and residents were entitled to noise free evening.

In view of this, Councillor Hunt proposed that the Committee should go against the Officer's recommendation and refuse the application for the following reasons:

- There was no way to control what electric models were being flown;
- The character of the noise;
- There was no control to limit flight beyond 200 metres from other properties;
- It would be a danger to the character of the area;
- There was concern regarding horses and their riders;
- It would cause excessive noise pollution;
- There would be loss of amenity to the neighbours; and
- The club already had sufficient permission.

Councillor Hunt's motion was seconded by Councillor Chaplin.

Councillor Cox commented that with the current availability of model aircraft, including drones, they could be flown from anywhere these days. He believed that the Club was in a good location and there would be an opportunity available for those who wished to join.

Councillor Rouse agreed that Members were right to be cautious, but the temporary permission would give a year in which to be cautious, monitor, and review the flying times.

Councillor Hunt reminded the Chairman that he had proposed a motion for refusal of the application and this had been seconded by Councillor Chaplin. The motion was put to the vote and declared lost, there being 4 votes for, 6 votes against, and 1 abstention.

Councillor Rouse duly proposed that the Officer's recommendation for approval be accepted.

Councillor Hitchin made the point that Mrs Scott's experience of being buzzed had not been addressed. The focus was on noise levels and she thought that noisy aircraft would be better for horse riders. With regard to Councillor Rouse's motion, he questioned why there could not be variable

flying times throughout the year. The Chairman replied that he could see the points being made by Councillors Rouse and Hitchin, but the permission was temporary for one year. It was not known when problems would occur, but in a year's time everyone would have a better idea. He could see the benefit of a year's permission with specified times.

Councillor Bovingdon reminded the Committee that although there were set hours, they were a maximum and dusk was at about 4.30pm in winter; these were summer hours.

It was proposed by Councillor Beckett and seconded by Councillor Bovingdon that the hours of the temporary permission, as detailed in Condition 9, be amended to:

10:00hrs – 20:00hrs on Mondays to Saturdays

10:00hrs – 18:00hrs on Sundays and Bank Holidays

When put to the vote, the amendment was carried, there being 8 votes for, and 3 votes against.

The Committee returned to Councillor Rouse's proposal, which was seconded by Councillor Cox. When put to the vote, the motion was declared carried, there being 7 votes for, 3 votes against, and 1 abstention. Whereupon,

It was resolved:

That planning application 15/00802/VAR be APPROVED, subject to the conditions as detailed in the Officer's report, and with the agreed amendment to Condition No. 9

78. **15/01012/OUM – FIELD WEST OF 1B UPTON LANE, LITTLEPORT,CB6 1HF**

Julie Barrow, Senior Planning Officer, presented a report (Q179, previously circulated) which sought outline planning permission for the construction of 63 dwellings. Details of the access were to be determined at this stage with appearance, landscaping, layout and scale to be determined at the reserved matters stage.

The site was located within the established development framework of Littleport, approximately 500 metres south west of the town centre. The main vehicular access would be off The Furrow, in the south west corner of the site, with an emergency relief access from the north east corner of the site onto Upton Lane. The indicative layout showed pedestrian linkages from the public open space shown in the north west corner of the site and a pedestrian link to the land to the north of the site from the north east corner.

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 relating to visual amenity, access,

public open space, and ecology and biodiversity. There was also a slide indicating the mix of affordable housing and market dwellings.

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

- Principle of development;
- Visual amenity;
- Access and highway safety;
- Housing mix and affordable housing;
- Public open space;
- Drainage and flood risk;
- Ecology and biodiversity; and
- Residential amenity.

Members were reminded that the Council could not currently 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 site were considered to be the provision of up to 63 additional residential dwellings built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work and future occupiers of the dwellings. With its close proximity to the range of services and facilities available within the settlement, the site was considered to be in a sustainable location.

In terms of visual amenity, the construction of up to 63 dwellings on the site would considerably change the character and appearance of the immediate area. At present the site did not feature prominently in the street scene within The Furrow and it could not be readily seen from Ely Road. The development of the site and the loss of a number of trees and lengths of hedgerow on the boundaries would expose the site to the surrounding land. However, it was felt that subject to appropriate design, layout and materials, the site could be developed without causing significant harm to the visual amenity of the surrounding areas.

The Senior Planning Officer informed Members that a petition had been received objecting to the development. It was signed by 71 members of the public; the majority of the signatories lived on the Highfield development, adjacent to the site. Paragraph 5.2 of the Officer's report summarised the main points raised by members of the public.

It was noted that the principal access to the site would be The Furrow, which would be extended to create the main estate road for the

development. This would provide vehicular, cycle and pedestrian access for all of the proposed dwellings and an emergency access would be provided via Upton Lane, in the north east corner of the site. The creation of this main access would lead to the loss of an overspill parking area currently located at the end of The Furrow. Residents were concerned that this would increase on street car parking at The Furrow and cited that at present, issues relating to double parked often arose, affecting access for emergency, delivery and refuse collection vehicles. It was feared that the situation would be made worse. Concerns had also been raised regarding the additional traffic that would be generated and the associated noise and disturbance that would be caused.

The access arrangements had been carefully examined by the Local Highway Authority and were considered to be adequate in respect of their width and layout. The County Council Transport Planning Team was also satisfied with the proposal. The applicant chose The Furrow as the principal access following independent assessment by a highways consultant. The proposed access would connect with Ely Road via a roundabout which was preferable to the simple priority access which would be required if the site was accessed via Upton Lane.

A draft Construction Management Plan had been submitted with the application, and all construction traffic was expected to access and egress the site via Upton Lane. Delivery times would take account of school hours and users of Millfield Primary School. The submission and implementation of a final Construction Management Plan could be secured by condition.

On balance, it was considered that the access was suitable and compliant with Policies COM7 and COM8.

The application proposed 63 dwellings, 19 of which were stated to be affordable dwellings; this equated to 30.2% of the total dwellings proposed. The 19 affordable units were to be split 70% - 30% affordable rent to shared ownership and would be secured by way of a S106 Agreement. It was considered that the applicant had adequately addressed housing mix and the provision of affordable housing in accordance with Policies HOU1 and HOU3 of the Local Plan.

The Senior Planning Officer reminded the Committee that the application included the provision of an area of public open space in the north west corner of the site. It was below the level required by the Developer & Planning Obligations SPD, but the developer had offered to provide a financial contribution towards the provision of a play area and play equipment on the land immediately to the north of the site at The Paddocks. This was to be secured by means of a S106 Agreement.

The application site was located in Flood Zone 1, and the proposed scheme would use underground storage and oversized pipes to attenuate any surface water run-off. Anglian Water had confirmed that it had no objections to the application. The proposal would be subject to further detailed drainage strategy, to include infiltration testing.

Members noted that the Ecology Appraisal submitted with the application had identified a number of habitats within the site. There was

potential for bat roosting, foraging and/or commuting, particularly within the line of Poplars along the northern boundary of the site. It was found to be unlikely that the site would support protected species of breeding birds, those rare or deemed under conservation threat. There was some habitat suitable for reptiles but no water/wetland features were present.

The Poplar trees were in a poor condition, exhibiting above average dead wood and sparse canopies, and their removal was required on health and safety grounds. By way of mitigation, the applicant had offered £2,500 to Littleport Parish Council for tree planting on The Paddocks, immediately to the north of the line of Poplars.

The indicative layout indicated that sufficient amenity space could be provided for the future occupiers of the dwellings and that there would be a satisfactory relationship with the closest dwellings. A Construction Environmental Management Plan would minimise the impact of any noise and disturbance during the construction phase and could be required by condition. On balance it was considered that this outline application adequately addressed residential amenity and therefore accorded with Policy ENV2 of the Local Plan.

A Contaminated Land Assessment had been submitted and the Council's Scientific Officer was satisfied that no further investigation was required. However, due to the sensitive end use of the site, it was recommended that an unexpected contamination condition be attached to any consent granted.

An archaeological evaluation had already been carried out and demonstrated that remains of low significance existed at the site. The County Council's Historic Environment Team had no objection to the application and no further archaeological recommendation for this site.

The Council's Conservation Officer had considered the Heritage Assessment submitted with the application, and was satisfied that, at this time, the proposal would not have a detrimental impact on any heritage asset.

It was noted that concerns had been raised by local residents that the application had not been publicised correctly and also regarding the applicant's consultation process prior to the application being submitted. The Senior Planning Officer reiterated that the Local Planning Authority were not involved with this process and could not control how the applicant used the information gathered at that stage.

A number of comments were received raising concerns about the ability of the local infrastructure to cope with the new development. A new secondary school was proposed within Littleport and a contribution towards education would be secured through Community Infrastructure Levy (CIL) payments. No comments had been received from the Growth & Development Team at the County Council and it was therefore considered that the development could be achieved with the existing and proposed infrastructure in Littleport.

On balance, the application was recommended for approval, subject to the conditions, as set out in the report.

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

- This was a big day for The Furrow. There had been a petition and direct responses made to the application;
- Whilst being listed as an objector, he appreciated the need for houses and his objection was regarding The Furrow being the sole access. It would be of significant detriment and cause an increase in traffic;
- The “welcome packs” would not be read, and despite paragraph 7.3.6 of the Officer’s report saying that walking would be encouraged, he did not believe this. People only tended to walk with their dogs or when they could not drive;
- The demographics of The Furrow were important. It had families with young children;
- The application was being used to reduce costs and increase income;
- Families had to feel safe and those living in the cul de sac wanted it to remain a cul de sac. The development would change this;
- Drivers had no sense of responsibility to residents and there would be an increase in danger. The traffic along The Furrow changed in the late afternoon;
- The S106 Agreement should include a more sustainable access.

Councillor Rouse asked Mr Rowley if the issue of the field being developed was raised when he bought his house. Mr Rowley replied that there was an understanding that it would be used for development, but it was not thought that it would be used as linkage.

At the invitation of the Chairman, Mr Richard Sykes-Popham, agent for the applicant, addressed the Committee and made the following comments:

- He was the agent for this residential development. It was within the development envelope and the Littleport Master Plan;
- The scheme would bring new affordable and open market housing, and there would be improved access to the town;
- There would be a dedicated play area, tree planting and new public open space adjacent to the existing areas;
- There would be a contribution to green infrastructure and facilities, and the scheme would have no adverse impact;
- The site accesses had been very carefully assessed;

- The Traffic Management Plan would ensure that residents of The Furrow were not affected by construction traffic;
- The rights of access to The Furrow were retained by the owners of the adjacent land when it was sold to Cannon Kirk. The reservation of rights was noted on the individual title deeds for the dwellings on The Furrow.

Councillor Beckett had a number of questions for Mr Sykes-Popham. He first asked if Upton Lane was within the ownership of the development and Mr Sykes-Popham replied that he was not sure, maybe there was a right to use it. Councillor Beckett next asked about the agreement with Anglian Water regarding the run-off of surface water and was informed that 1.4 litres had been the opening gambit by Anglian Water. However, it was not always possible to achieve this, so changes were made and he assumed that they were happy with this. Finally, Councillor Beckett asked if there was capacity for the balancing pond to accept discharges without exceeding the run-off and Mr Sykes-Popham replied that he was not sure about this.

Councillor Hitchin asked the Senior Planning Officer if the Parks & Open Spaces had been consulted on the application. He also expressed surprise that there was to be 30% social housing and sought assurance that it would remain at that figure. The Senior Planning Officer said she had already spoken to the Open Spaces & Facilities Manager and he would be key to the discussions. With regard to affordable housing, the applicant was willing to agree the S106 on the basis of 30%, but she could not account for the figure being changed in the future; she hoped it would not happen.

Councillor Cox queried where the pressure for the rationale to have the access by The Furrow and Upton Lane had come from. He wondered whether the motivation was economy on the part of the developer or a clear advantage of The Furrow. The Senior Planning Officer reminded Members that they were required to determine the application as it was before them. Accessibility onto the main road would be more satisfactory than the current Upton Lane – Ely Road proposal, but there would have to be substantial improvements. She said she could not comment on the developer's motives. A dual access would still need improvements, and this was why The Furrow was put forward as the main access.

Councillor Hunt said he was discombobulated to find that another 126 cars would be travelling down that route, as they should not be driving through there to access the site. He wondered if the developer had considered a parking area to be available to all residents, both existing and new. He also declared himself to be surprised and disappointed that new roads that were not up to adoptable standards were still being built, as he believed this to be a backward step. Tandem parking did not work, and he felt that the public open space would be better located in the bottom right area of the site.

The Chairman reminded Members that if they were so minded, the reserved matters application could come back to Committee.

Councillor Beckett thought that this was a good site with a good plan, but there should also be an access via Upton Lane. Having attended the site

visit, he said it felt more like an urban area than a rural one, and he believed the application should be refused on the grounds that the proposal should have two accesses and exits.

Councillor Rouse said he too shared concerns about access because they did not get The Furrow right the first time, and it would come back to bite them if they did not do so this time. There should be more emphasis on Upton Lane because it would provide a quicker link into town for cars and pedestrians. The Chairman responded by saying that the LHA had been consulted and said the scheme was suitable and the construction vehicles would be limited and controlled.

It was proposed by Councillor Beckett and seconded by Councillor Stubbs that determination of the application be deferred until a scheme to use Upton Lane could be imposed. The Planning Manager interjected to say that a scheme could not be imposed, and she read out the following extract from the Strategic Housing Land Availability Assessment for the land south of The Paddocks:

“Suitable. Vehicular access to be taken through Highfield estate unless improvements to poor layout of Ely Road/Upton Lane junction can be secured.”

The Chairman added that the application could be deferred, but it was possible that Members could get the same one back before them the next time.

When put to the vote, Councillor Beckett’s motion was declared lost, there being 3 votes for, 4 votes against and 3 abstentions.

It was proposed by the Chairman and seconded by Councillor Hitchin that the Officer’s recommendation for approval be supported, with the reserved matters application being brought to Committee. When put to the vote, the motion was declared carried, there being 9 votes for and 2 votes against.

It was resolved:

That APPROVAL of planning application reference 15/01012/OUM be delegated to the Planning Manager, following the completion of a S106 and subject to the draft conditions, as detailed in the Officer’s report (with any minor revisions to the conditions delegated to the Planning Manager).

The Chairman said he wished to place on record the Committee’s thanks to Julie Barrow, Senior Planning Officer, for dealing with what was proving to be a heavy caseload.

79. **15/01240/VARM – LAND SOUTH EAST OF WELLINGTON ROAD, LANCASTER WAY BUSINESS PARK, ELY, CB6 3NW**

Andrew Phillips, Senior Planning Officer, presented a report (Q180, previously circulated), which sought to vary condition 3 in order to provide

the developer greater flexibility of the timing of when they were required to submit reserved matter applications.

This matter was being brought before Committee as the application could affect the timing of bringing forward the approved employment land at Lancaster Way.

It was noted that paragraph 2.2 of the Officer's report set out the details of the current condition 3 of 08/00563/ESO and the revised wording was contained in paragraph 2.3.

Displayed at the meeting were a map of the application site, and an aerial view of the location.

The Senior Planning Officer stated that the current issue was that planning permission required 10,000 square metres of floor space to be submitted before 1 April 2016. If only 9,999 square metres was submitted, the developer would lose the ability to submit any additional reserved matters applications as the proposal would not comply with 08/00563/ESO.

The condition did not require the developer to build this level of floor space and for this reason it would not necessarily speed up the provision of employment within the local area. The developer could potentially be put to the unnecessary expense of having to submit proposals that they had no intention of building. It was therefore considered that the current condition struggled to meet the test of "reasonableness" and it would be acceptable to vary the wording.

Members were informed that Lancaster Way Business Park had been continuously growing but the applications submitted had usually been Full Applications. The site had also recently become an Enterprise Zone.

At the invitation of the Chairman, Mr Michael Hendry, agent for the applicant, addressed the Committee and made the following comments:

- Pre-application discussions had taken place and the reserved matters application had been approved;
- The submission of a further 10,000 square metres of floor space was unworkable;
- Grovemere was not in the habit of land banking;
- 1,500 square metres would be submitted in March 2016, and there had been archaeological investment of £500,000;
- Interest in the site was strong, with enquiries having been received from (amongst others) Cambridge Archives, and a distribution operator. The increase in interest was due to the Business Park becoming an Enterprise Zone and this was attracting inward investment;
- Variation of condition 3 would bring more flexibility.

Councillor Rouse said the Council enjoyed a very good relationship with Grovemere, and this was thanks, in part, to the efforts of Darren Hill, the Authority's Business Development Manager. The Lancaster Way Business Park becoming an Enterprise Zone was excellent news for the area, and he proposed that the Officer's recommendation for approval be accepted. Councillor Beckett concurred and seconded the motion.

Councillor Hunt declared his total support for the application, noting that over the years everything had been approved. He was pleased to see this and hoped that it would continue with the applicant.

When put to the vote,

It was resolved unanimously:

That planning application reference 15/01240/VARM be APPROVED, subject to the conditions as detailed in the Officer's report (with any minor revisions to the conditions delegated to the Planning Manager).

There was a comfort break between 4.00pm and 4.05pm.

80. **15/01316/FUM - ARTHUR RICKWOOD FARM, CHATTERIS ROAD, MEPAL, CB6 2DA**

Julie Barrow, Senior Planning Officer, presented a report (Q181, previously circulated) which sought consent for the change of use of Arthur Rickwood Farm to an insect/reptile breeding centre, including new access arrangements, erection of storage buildings, reptile/insect breeding buildings, staff hostel, office/mess rooms, biomass boiler, solar panels plus refurbishment of residential dwellings and buildings.

Paragraph 2.2 of the Officer's report set out the details for each of the two areas on the site. It was noted that Area 1 was adjacent to the A142, and Area 2 was approximately 550 metres to the east of Area 1. The development would include highway works to improve the existing site access onto the A142 to facilitate two-way working for HGVs.

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, the elevations of the staff hostel accommodation, the new storage building, a representation of the existing building, and the reptile building.

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

- Principle of development;
- Visual amenity;
- Flood risk and drainage;
- Highways and transport;

- Residential amenity; and
- Biodiversity and ecology.

The site was located outside of any established settlement boundaries and within the countryside. It consisted of a redundant former research farm, currently owned by DEFRA and the application sought to bring the site back into use and allow an established business to expand its operations. The proposal included the creation of a number of jobs on the site and it was anticipated that it would make a significant contribution to the local economy.

Although the proposal did not strictly accord with Policy EMP3, the nature of the business was such that the availability of sites within the region was extremely limited. The applicant had taken a logical sequential approach in trying to find a suitable location and having provided details of 10 sites within the Eastern region, considered this site as being the only one on the market in a reasonably proximate geographical area that could accommodate the business.

The proposal included an element of residential accommodation for staff members. Paragraph 55 of the NPPF stated that local planning authorities should avoid new isolated homes in the countryside unless there were special circumstances, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Given its distance from any established settlement boundary, the site could be considered to be isolated.

The applicant had stated that due to the presence of livestock, a site manager would be required on site 24 hours/7 days per week. Given that the livestock was housed in temperature sensitive buildings, it was considered that there was an essential need for an employee to live close by.

It was noted that the applicant also intended to construct a hostel to accommodate up to 20 people on the site of a large office building within Area 1. Although it could not be demonstrated that there was an essential need for these workers to live on site, the nature of the business was very labour intensive and a fair amount of the work on the site was at a basic level. This meant that retention of staff could be difficult. Having on-site accommodation would make it easier to retain staff and ensure that the insects were looked after so that they thrived. The site was difficult to reach by public transport, and whilst bussing people might be an option, it would still mean securing enough accommodation within one location to make a transport scheme feasible.

On balance, it was considered that, whilst not essential to the needs of the business, the benefits of including the hostel accommodation would outweigh any adverse impacts.

In terms of visual amenity, the application site was unobtrusive, and it was considered that any impact would be limited. Any changes to the wider landscape would be partially mitigated by additional tree planting. On balance it was considered that any adverse effects would not be significantly or detrimentally harmful to the area, and as such, the proposal was considered to comply with Policies ENV1 and ENV2.

The Committee noted that the application site was within a defended Flood Zone 3 as indicated by the Environment Agency's flood risk map. The majority of the proposed uses on the site fell within the "less vulnerable" use category as defined within the NPPF and this could be considered compatible with Flood Zone 3. However, the staff accommodation would be considered "more vulnerable", and was therefore subject to the sequential test. Given the information already submitted by the applicant in respect of the choice of site, it was considered that a sequential test approach had been taken and the test had been satisfied.

The applicant submitted a Flood Risk Assessment, and having examined the measures, the Environment Agency stated that the proposed development would only meet the requirements of the NPPF if the mitigation measures in relation to floor levels and flood resistance and resilience measures were implemented. The Senior Planning Officer said that this could be secured by way of a condition and on this basis, the Exception Test was also passed.

A Transport Statement was submitted with the application. The main vehicular access to the site was via the A142, with limited opportunities for pedestrians and cyclists. The scheme proposed improvements to the main access and on the assumption that the former use would have generated not insignificant levels of traffic, the Statement said that the proposal would not significantly increase the risk of accidents. There was sufficient space within the site to accommodate a number of parking spaces, and subject to minor amendments to the layout, this was to be retained. There was also sufficient space within Areas 1 and 2 to accommodate commercial vehicles on the site. The proposal was therefore considered to comply with Policies COM7 regarding highways and transport, and COM8 in relation to parking provision.

Turning next to residential amenity, Members noted that the closest dwelling was approximately 120 metres to the south west of the site. A Noise Assessment, based on the applicant's existing operations at Wendy, had been submitted and the Council's Environmental Health team had recommended that the installation of any additional plant be controlled by condition, and that a condition in respect of noise levels emitted from the site also be imposed.

It was considered that noise had been adequately addressed by the applicant, and that subject to appropriate conditions, the proposal would not have a significantly detrimental effect on the amenity of the nearest occupiers.

The application site was in close proximity to a number of protected sites. However, subject to the implementation of the mitigation and enhancement measures detailed in the Ecology Report and a condition relating to the foul drainage package treatment plants, it was considered that the proposal would not have an adverse effect on biodiversity or ecology and it therefore complied with Policy ENV7 of the Local Plan.

In connection with other material matters, it was noted that the applicant had submitted details of a biomass boiler to be installed on the site; these had been examined by the Council's Scientific Officer, who had confirmed that there were no issues arising in relation to this.

The Ecology Report made reference to a chemical store with an asbestos roof and a workshop, but the potential for land contamination did not appear to have been adequately addressed. It was therefore recommended that contaminated land conditions were attached to any consent.

Speaking of the planning balance, the Senior Planning Officer drew Members' attention to a slide which set out the benefits of the proposal against the adverse effects. This was in the form of a scale which dropped from "significant weight" down to "little weight". On the basis that there were no adverse effects that significantly and demonstrably outweighed the benefits of the scheme, the application was recommended for approval.

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

- She wished to thank the Senior Planning Officer for doing an excellent job of keeping the application on track. This was much appreciated by her client;
- If permission was granted, her client would look to use local builders and trades people and this would be a boost to the local economy;
- When the site was up and running, 50 staff would be needed. There would be a mix of potential job opportunities, to be advertised locally and in the JobCentre;
- There had been considerable pre-application work with County Council Highways, and as a result the scheme would give significant improvements. There would be visibility splays and the road would be sufficient to allow two HGVs to pass.

Ms Richardson, accompanied by James Midwood, Scheme Manager then responded to comments and questions from the Committee.

Councillor Stubbs enquired about the number of employment opportunities available and Ms Richardson replied that there would be 50 staff. However, as more production was transferred from the Wendy site, there could be 150 employees in total.

Following up on this point, Councillor Beckett asked whether the 35 staff dormitory places would be for local or migrant workers and Ms Richardson said that they would be available to all.

Councillor Beckett then asked for clarification regarding the vehicle movements for the scheme. He was advised that because the applicant operated from Wendy, there would be a mixture of vehicles; a Transport Statement had been submitted detailing all this information.

Councillor Beckett next raised the issue of biosecurity, saying that the premises would be home to some strange insects and reptiles. Mr Midwood assured him that it was not in his client's interests to encourage escapees. The insects were bred in very heat sensitive units and they did not like to be outside of that environment. The units were contained inside the buildings and therefore it would be difficult for anything to escape.

In connection with the biomass boiler, Councillor Hunt asked if this would involve fast track vehicles coming in and out of the premises. Mr Midwood replied that there would only be one, as much of the bulk storage would arrive on HGvs.

The Chairman remarked that this had been a very thorough application and he thanked all those who had been involved in bringing it to Committee.

In proposing that the Officer's recommendation for approval be accepted, Councillor Rouse said the proposal would be an imaginative use of the redundant site. He thanked the Senior Planning Officer for doing a "tremendous" job and expressed his thanks to the Business Development Manager and his team for bringing the applicant to the District. This, he believed, would put ECDC at the forefront and he hoped the applicant would be welcomed into the District.

The motion was seconded by Councillor Hunt, who said he was delighted to have them here. It was a good use of the buildings and he too added his congratulations to all involved. When put to the vote,

It was resolved unanimously:

That planning application reference 15/01316/FUM be APPROVED, subject to the conditions as detailed in the Officer's report (with any minor revisions to the conditions delegated to the Planning Manager).

81. **15/01346/FUL – LAND NORTH OF AMBERSIDE, STRETHAM STATION ROAD, WILBURTON, CB6 3QD**

Andrew Phillips, Senior Planning Officer, presented a report (Q182, previously circulated) which sought consent for a change of use of land to site 8 traveller pitches, including the erection of 8 family day rooms.

The application had been brought before Members, as Officers believed that it would benefit from public discussion and Councillor Roberts supported this view due to the contentious nature of the application.

It was noted that subsequent to the publication of the planning report, comments had been received from Geoff Elwood, Highways Development Management Engineer, Cambridgeshire County Council, and from Councillor Charles Roberts, a Ward Member for Stretham.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial photograph of the location, an illustrative of the proposal and a photograph relating to the visual impact of the proposal.

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

- Principle of development;

- Visual impact; and
- Highway safety/flood risk.

The Senior Planning Officer stated that the Council could not currently 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.

Policy HOU 9 was outdated but very similar to existing Government advice and stated that the Council would make provision for Gypsy, Traveller and Travelling Showpeople sites to meet identified sites. The need identified in the Local Plan was for 38 permanent pitches between 2011 and 2031. However, this did not take account of the 8 pitches lost in Burwell and taking into account previous approved sites since 2011, the Council was required to provide 24 additional pitches.

The benefits of the proposal were that it would replace a lost site, there would be minimal impact on the rural setting, it was outside of the flood risk area, and there would be no detrimental impact on highway safety or capacity. However, the rural location would lead to the requirement to use private motorised transport.

The Committee was shown a number of photographs of the application site taken from various directions. With existing single storey buildings located on either side of the site, the openness was significantly limited and therefore the impact was limited. It was considered that with appropriate conditions, the impact on the rural character of the area was minimal and this weighed in favour of granting approval.

The Local Highways Authority had stated that if approved there would be no significant impacts upon the public highway.

It was noted that the Lead Local Water Authority (County Council) had stated that soakaways may not work on site and had suggested the following condition to check infiltration rates:

“No development to take place until the detailed design of the surface water drainage scheme for the site, based on infiltration drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall also include:

- a) Infiltration testing in accordance with BRE365 in the location of the infiltration features, and the resulting infiltration rates used in the design of the scheme to ensure that the features will store and drain the volume of surface water generated in the 1 in 100 annual probability rainfall event including an appropriate allowance for climate change. An appropriate half drain time should allow subsequent rainfall events to be accommodated.*

REASON:

To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.”

This condition would replace recommended condition 9 as detailed in Appendix 1 of the Officer's report.

In summing up, the Senior Planning Officer said that the only identified harm that could not be mitigated against was the site's remote location. However, given the recent approvals of other sites in the locality and existing sites, the application would be the same distance to local services/facilities.

The location needed to be weighed up against the need for gypsy/traveller plots and as there would be no issues in regards to highway safety or surface water, and the locality had recently had gypsy/traveller plots approved, the application was recommended for approval.

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

- His family had a long association with Grunty Fen and he farmed two fields as a tenant, adjacent to the site;
- There had been problems with enclosure. Under common rights surrounding villages had been given acreage in Grunty Fen and sites were now being developed for travellers;
- He was concerned at the density of the population. There were 30 settled house with 100 inhabitants. He had counted 140+ caravans/mobile homes and this equated to 200 people;
- Grunty Fen was extraparochial, not attached to other villages and he felt this application ran counter to Strategic Objective No. 6;
- Sites had been turned down in the past as being unsuitable, and this one would have a major impact upon the character of the area;
- There were no figures from Highways, but traffic flow along the road already ran at 300 vehicles per hour for 5 hours per day. This had a significant effect on residents and amenities were affected;
- The Showmen had not been informed, but they objected to the application;
- The neighbours had been unable to object in time;
- Drainage was an issue, with run-off going into the dykes and septic tanks often had to be emptied fortnightly;
- Many people felt intimidated. There were too many sites and this one was in the wrong place because the location was unsuitable.

Councillor Stubbs thanked Mr Parish for counting the cars along the road, saying that this was something that should have been conducted by the County Council. In response to a question from Councillor Cox, Mr Parish

confirmed that he had counted the vehicles from 7.00am until 9.30am and from 5.00pm until 7.30pm.

Councillor Hunt stated that he had received photos of the land being flooded and disagreed that the site was not at risk of flooding as the water had to be pumped out. If the Environment Agency turned off the pumps then Grunty Fen would flood.

At the invitation of the Chairman, Mr Grahame Seaton, agent for the applicants addressed the Committee and made the following remarks:

- The owners of the site had asked him to investigate, and pre-application advice had been given in July 2015. He had met with Penny Mills, the then Case Officer and the discussions had been very helpful;
- The Senior Planning Officer's report was weighted in favour of approval, and he believed the 12 conditions recommended were fair and reasonable;
- There had been objections regarding fly-tipping, and also flooding in the fields. The remarks about fly-tipping were very unfair and should be ignored;
- It was becoming very difficult to find suitable sites for travellers, but this site ticked many boxes: good schooling, low flood risk, the Local Housing Authority and Internal Drainage Board had no objections, and the proximity to facilities;
- The scheme would help with the current shortfall of pitches;
- The landscape and also biodiversity could be improved.

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

Councillor Stubbs noted that Policy HOU9 stated there should be no significant adverse impact on the amenity of nearby residents, and she asked Mr Seaton to explain how there would not be an impact on the adjacent care home. Mr Seaton replied that he had not spoken to anyone at the home and the Senior Planning Officer interjected to say that the home had been consulted and no objections had been received. Councillor Austen added that the care home was a rented property offering supported living to people with severe learning difficulties.

Councillor Rouse asked if the pitches were for known families or local people; Mr Seaton said they were all from a family, with some being in Mildenhall and others in Spalding at the moment.

At the request of the Chairman, the Democratic Services Officer read out the following prepared statement from Councillor Charles Roberts:

“Chairman, Members of Committee,

Can I please offer my apologies for not attending your Committee today, I have an unavoidable work commitment.

I have made my thoughts on this contentious application clear but as I have received so many representations from concerned residents I want to just underline the principle concerns.

I recognise the desperate need for more homes for people across society and I understand the issues around inadequate allocations in East Cambridgeshire. However, we must take great care to not lose sight of solid planning principals. Members will know of my commitment to delivering homes for everyone.

The proposed sighting of these travellers homes is just wrong for so many reasons:

The site sits in the heart of Grunty Fen, an area of open fenland countryside that is prone to flooding and which lays wet for much of the year. This makes proper sanitation very difficult. The septic tank at the residential care home next door to the site has to be emptied as often as weekly in wet winters to avoid contamination of the surrounding waterways. The additional surface and foul water generated by this development will be virtually impossible to manage and the residents will not enjoy healthy conditions. There is also a real risk of actual flooding of the area.

The residential care home immediately adjacent to the site is home to severely autistic adults for whom change and disturbance to their routine is traumatising. The likely disturbance during construction and resulting from eight families living on the site will be incompatible with the needs of these vulnerable neighbours.

The area of Grunty Fen is an important landscape with views to Ely Cathedral and the surrounding villages. Dispersed settlements in this open landscape will destroy the unique landscape forever and should not be allowed.

This site is unsuitable for development and the application is entirely opportunistic because the agricultural land just happened to come up for sale. That is not an acceptable reason for allowing development in an area of open countryside that has so many problems. If land was being allocated to meet the shortfall in travellers pitches, this land would never be chosen.

I appeal to Members of the Committee to refuse this application and trust in the Council's forward planning process to allocate sites that are less detrimental to the landscape and which can afford the residents proper living conditions.

Thank you for hearing my views."

Councillor Beckett observed that there had been comments from various people regarding flooding and he reminded the Committee that the Council had a duty of care towards the travellers to ensure they were not put on sites that flooded. The Senior Planning Officer reiterated that the site was

in Flood Zone 1 and the developer would have to prove that attenuation would meet the 1 in 100 years requirement.

Councillor Rouse said that such applications were controversial but these pitches were needed. The families were known and he proposed that Members should support the Officer's recommendation for approval.

Councillor Hunt said he wished to dwell on the technical side of the application. Although the site was in Wilburton the nearest settlements were in Witchford, Little Thetford, and Stretham; all had been consulted and pleaded for refusal of the application. As the Committee had already heard, Councillor Roberts, a local District Member, opposed the application. He himself, as the other District Ward Member and a County Council Member also opposed the application.

The LHA had raised no objections but did not have local knowledge. There were four roads, two of which were single track, with a very dangerous junction, despite a "Slow" sign having been put on the highway. Grunty Fen was just that – a fen at risk of flooding. There were no old houses in the fen; they were built on higher ground so they would not flood. There should be no building in the fen. The application would damage the character of the area and the access to the main road was dangerous. The site was not a sustainable location, the access roads were not good and he had concerns about sanitation.

Councillor Hunt duly proposed that the Officer's recommendation for approval should be rejected.

Councillor Bovingdon said he wished to second Councillor Rouse's motion for approval. Whilst hearing Councillor Hunt, he wondered what made the site unsuitable when there was a housing association property next door. Councillor Hunt replied that the care home was built on an old railway track, which was solid and dry.

Councillor Stubbs declared her support for Councillor Hunt's motion for refusal. She did not believe the site was a sustainable location, even Highways had said that no information had been provided about transport links or school routes, and there had been no opportunity to see the dangerous junction. She listened to local people, who knew that the junction was dangerous. She questioned why the site was not placed nearer to existing dwellings.

The Chairman reminded Members that they already had before them a motion for approval that had been seconded. He asked the Committee to consider the principle of development: the flood risk could be mitigated and Highways had received official advice. Whether or not the location was sustainable was arguable and the site was not perfect, but there had been much development in and around the area. He suggested that Members should look at this application as an exception site with restrictions, as he did not believe the objections were strong enough to sustain refusal.

The Planning Manager reminded the Committee that if permission was granted, condition 9 would be varied in accordance with the wording provided by the Lead Local Flood Authority.

When put to the vote, the motion for approval of the application was declared carried, there being 5 votes for, 3 against and 2 abstentions. Whereupon,

It was resolved:

That planning application reference 15/01346/FUL be APPROVED, subject to the conditions as detailed in the Officer's report, and with the variation to Condition No. 9.

Councillor Hitchin left the meeting at 5.15pm.

82. **15/01381/FUL – LAND ADJACENT 14 BACK LANE, WICKEN, CB7 5YL**

Ruth Gunton, Planning Officer, presented a report (Q183, previously circulated) which sought consent to erect a 5 bed detached residential dwelling, with attached double garage including living space above, and associated works.

The site was located opposite, but outside, the development envelope of Wicken and comprised land that was previously used for arable farming.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, indicative layouts of the proposal with the elevations and floor plans as proposed, and photographs relating to residential amenity and visual impact. There was also a slide relating to the Officer's recommended changes to the proposal to remove the garage element or to detach and reduce the garage element to single storey.

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

- Principle of development;
- Residential amenity; and
- Visual impact and street scene.

The Planning Officer stated that the Council could not currently 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.

Approval for a residential dwelling and associated infrastructure had been granted under application 15/00323/OUT, therefore there were no concerns regarding the principle of development on this site.

With regard to residential amenity, it was considered that the distance of the facing windows of the proposed dwelling in relation to No. 15 Back Lane was such that they would not have a significantly detrimental impact. The impact of the proposed development on the secondary windows of No. 14 Back Lane was not considered to have a sufficiently significant detrimental impact as to warrant refusal.

It was considered that the combined effect of the height, size and form of the development would be harmful to the street scene. The proposed dwelling was large and it would be taller than those adjacent to it. The form located the garage to the front and this was contrary to the Design Guide which stated that integral garages should be positioned to the side, and that it would rarely be acceptable to construct a garage between the front elevation and the highway. The garage was both two-storey and linked with the main house. The harm from the forward position of the garage was that it created an alien feature, which was not in keeping with the street scene.

Members' attention was drawn to the illustration regarding the amendments requested by the Planning Officer. It was noted that the orangery was completely removed, the length of the garden room was reduced, the rear elevation of the master bedroom was reduced by 1.2 metres, and the entire development was shifted 1 metre towards the rear of the plot. These amendments overcame some of the concern regarding overall size. However, the concerns regarding height, size and form, combined with the front position of the two storey garage creating an alien feature on the street scene had a significantly detrimental impact that was sufficient to warrant refusal for non compliance with Policy ENV2.

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

- The application was for a 5 bed dwelling with garage. The Planning Officer considered the proposal to be at odds with other dwellings in the area, it was very squashed, and the garage was not compliant;
- There were other properties with double garages and buildings at the front of the plot in Wicken, and one was only 200 metres away. The property at No. 12 Back Lane had also doubled in depth;
- The proposals did not extend beyond the rear line and a strip had been retained which minimised the impact;
- The site was not squashed because only 16% of it was covered;
- The dilapidated building would be demolished and the garage built;
- There would be no significant detrimental impact on residential amenity as the site would be only marginally higher than other nearby buildings;

- There had been no objections, in fact the Conservation Officer had said the proposal was acceptable from a conservation viewpoint;
- The proposal was not contrary to policy and it should be judged on its own merits.

Councillor Hunt asked the Planning Officer what would be her view if the garage was located at the rear of the house and she replied that it would be considered appropriate.

Councillor Bovingdon commented that Back Lane was a real mix of properties and he struggled to understand why a garage to the front of the house was out of keeping. The Planning Officer reminded him that it was a combination of the overall effect of the height, size and form. Councillor Bovingdon then asked where in policy it said it was an issue.

The Planning Officer said it was contained in the Design Guide, and for the benefit of Members, the Planning Manager read out the following extract:

*“Garages should ideally be positioned to the side and rear of the dwelling. It will rarely be acceptable to construct a garage between the front elevation and the highway;
Integral garages should be positioned to one side, and should not be located on the principal section of the front elevation. This is to avoid them appearing as a ‘gaping mouth’ when open.”*

Councillor Bovingdon then asked if the garage was not integral, would Officers have a different view. Andrew Phillips, Senior Planning Officer, replied that it was not just about this one aspect, Officers had sought to overcome a number of concerns.

Councillor Rouse reminded Members that they had to judge what was before them. He did not think the proposal caused demonstrable harm and he therefore did not accept the Officer’s recommendation. He proposed that the application be approved for the following reasons:

- The dwelling will not harm the street scene;
- The size and form are suitable for the site;
- The dwelling will add to the variety of the area; and
- It will be an asset to the area.

Councillor Bovingdon seconded the motion for approval and Councillor Beckett expressed his support, saying that he did not believe the proposal contravened the Design Guide.

The Chairman reminded Members that Councillor Daniel Schumann, a Ward Member for Soham South, had emailed them with comments in support of the application and expressing the hope that the Committee would grant approval.

The Committee returned to the motion for approval, and when put to the vote, it was declared carried, there being 7 votes for, 2 votes against and 1 abstention. Whereupon,

It was resolved:

That planning application reference 15/01381/FUL be APPROVED for the following reasons:

- 1) The dwelling will not harm the street scene;
- 2) The size and form are suitable for the site;
- 3) The dwelling will add to the variety of the area; and
- 4) It will be an asset to the area.

(At this point Councillor Bovingdon vacated the Chamber)

83. **15/01450/FUL – LAND ADJACENT TO 2B MOOR ROAD, FORDHAM,CB7 5LX**

Julie Barrow, Senior Planning Officer, presented a report (Q184, 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 No. 2B and would be located in the north western corner of the site, with access via a newly created entrance off Moor Road.

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

The Senior Planning Officer reminded Members that this application had been made following refusal of a similar application for the construction of the same dwelling on the north eastern corner of the site; paragraph 2.3 of her report set out the reason for that refusal.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, indicative layouts of the proposal and its floor plan, and photographs relating to the planning history and visual amenity. There was also a slide relating to the amended plan in respect of highway safety.

The Committee was 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.

The Senior Planning Officer reiterated that the Council could not currently 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 site was located outside the established development framework of Fordham, but it adjoined the settlement boundary in a number of places. It was therefore considered to be well connected to the settlement, alongside a number of residential dwellings and within close proximity to the services and facilities on offer in the village. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site was considered as being in a sustainable location.

Following the recent refusal of planning permission, the applicants submitted a further application, moving the proposed dwelling from the north eastern corner of the site to the north western corner. The dwelling now sat alongside the settlement boundary on land forming part of the garden of 2B Moor Road, thereby reducing the extent of the built form in the countryside. The applicants had indicated that there would be significant landscaping with the aim of screening the development from the open countryside beyond.

Members noted that should consent be granted, a restriction could be placed on any structures or outbuildings being constructed on the remainder of the site to ensure that the area remained open and free of domestic paraphernalia. On the basis that a sympathetically designed dwelling was being proposed in terms of scale and materials, it was considered that the proposal would not significantly and demonstrably harm the character and appearance of the area.

In terms of residential amenity, it was considered that the dwelling would not appear overbearing or cause any significant loss of light or privacy to the occupiers of 2B Moor Road. As the proposed dwelling would be located over 100 metres from dwellings in Grove Park, it would not have an adverse impact on the amenity of those occupiers.

An amended plan had been submitted in respect of highway safety, in which the applicants provided additional information regarding the use of the existing access onto Moor Road. This had been approved by the LHA.

The Senior Planning Officer said that the applicants were willing to retain the Ash tree which was located to the south of the existing outbuilding and had been made aware of the need for an Impact Assessment to be carried out. They intended to plant additional trees and hedgerow to the east and south of the dwelling and fit bat and owl boxes 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 respect.

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

- She attended the Planning Committee meeting on 2nd December 2015 and found the processes both informative and reassuring because the Councillors were unbiased and the applications were judged on their merits;
- She opposed the previous application and was doing so again;
- The first application was dismissed at appeal in 2012/13;
- The statement that the property would be within the site was irrelevant. It was not in the Village Plan and should be disregarded;
- On 2nd December 2015, Councillor Hunt and Austen supported refusal of the application, one reason being that it was outside the development envelope;
- All those observations and previous comments still stood and were still valid;
- This would be a major intrusion and the thin end of the wedge in terms of encroachment. In her opinion, there should be no further discussion;
- The development area had been drawn up around Fordham and the policies of the Local Plan should be adhered to;
- This application was urban creeping and should not be approved.

At the invitation of the Chairman, Mr Ian Bridgeman, applicant, addressed the Committee and made the following comments:

- He first wished to thank the Case Officer for a very comprehensive report, to which he could add very little;
- The quotes from the Ward Councillor were a total exaggeration of the facts. 13 neighbours had been consulted and only 2 responded, and they were the furthest away;
- The Parish Council's objections were addressed in the Design Statement;
- Regarding the previous questions about 2B Moor road, it was not built in the garden of No. 2A – the information was in the file;
- The access was not on a blind bend and had been approved by Highways;
- The bungalow had been designed to fit in with the area, and there had been recent local approvals at Soham Road, Fordham and Houghton's Lane in Isleham;
- The overhead power lines were to be removed;
- The application would not encroach and would not harm the character of the countryside.

At the invitation of the Chairman, Parish Councillor Mark Metcalfe addressed the Committee and made the following remarks:

- This application was being re-sited in a similar position to the previous one, which had been refused permission and dismissed at appeal;
- He urged Members to read the Inspector's reasons for dismissal, as they were robust and still applied;
- The appeal decision referred to a cottage on the site, but a resident born on Moor Road was not aware of a cottage having been there since 1920, so these comments should be disregarded;
- The Parish Council had discussed the applications but did not support the proposed developments;
- These were persistent applicants and the application should be refused.

Councillor Hunt said that if a valid decision was made on 2nd December 2015, then it would be a valid decision now.

Councillor Rouse disagreed; the position of the dwelling had been moved and whereas Members had been concerned about the gap with the existing dwelling, that gap had now been closed. He believed the proposal to be perfectly acceptable. A nearby development stuck out into the countryside, so he could see nothing wrong with this one, as he thought it would cause no harm.

Councillor Beckett said that he had been unhappy about the gap at the last application, but the applicant had addressed this and he now struggled to see why permission could not be granted.

The Chairman noted that the encroachment into the countryside had been reduced, and said it was for the Committee to decide whether or not to grant permission.

It was proposed by Councillor Rouse and seconded by Councillor Cox that the Officer's recommendation for approval be accepted. When put to the vote, the motion was declared carried, there being 5 votes for, 3 votes against and 1 abstention.

It was resolved:

That planning application reference 15/01450/FUL be APPROVED, subject to the conditions as detailed in the Officer's report.

(Councillor Bovingdon returned to the Chamber)

84. **PLANNING PERFORMANCE REPORT – DECEMBER 2016**

Rebecca Saunt, Planning Manager, presented a report (Q185, previously circulated) which summarised the planning performance figures for December 2015.

It was noted that the format of the report had been amended to a table form to make it easier to read. The report now included targets against figures, and in the case of appeals, whether decisions had been made by Committee or under delegated authority. The open cases were also broken down by team.

Councillor Hunt said the figures were a credit to the Planning Department. At the risk of “grassing up” the Planning Manager, he wished the Committee to know that he had come out of a meeting at 6.30pm on Monday, and Rebecca was still in her office working; this, he said, showed dedication.

Councillor Rouse commented that Julie Barrow had worked incredibly hard to bring four applications to this meeting and the feedback from clients had been very positive. He offered his congratulations to the Planning Manager and the whole team, saying it was encouraging to have such a young, enthusiastic team.

The Chairman said he wished to extend his thanks to all the Officers present and the Members of the Committee, because today’s agenda had been huge, with some contentious applications.

It was resolved:

That the Planning Performance Report for December 2015 be noted.

The meeting closed at 6.03pm.