



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in St Mary's Church Hall, St Mary's Street,
Ely on Wednesday, 3rd May 2017 at 2.00pm.

P R E S E N T

Councillor Mike Rouse (Vice Chairman in the Chair)
Councillor Sue Austen
Councillor Derrick Beckett
Councillor Ian Bovingdon
Councillor David Chaplin
Councillor Paul Cox
Councillor Lavinia Edwards

OFFICERS

Zoe Boyce-Upcraft – Planning Assistant
Tim Driver – Planning Solicitor
Richard Fitzjohn – Planning Officer
Barbara Greengrass – Senior Planning Officer
Oli Haydon – Planning Officer
Toni Hylton – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Allen Alderson
Approximately 22 members of the public attended the meeting.

130. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Joshua Schumann and Lisa Stubbs.

There were no substitutions.

131. DECLARATIONS OF INTEREST

Councillor Derrick Beckett declared a prejudicial interest in Agenda Item No. 8 (17/00223/FUL, Land to the South of 61 to 71 East Fen Road, Isleham, CB7 5SW). He said he would leave the room before the debate and voting on the application took place.

Councillor Mike Rouse declared an interest in Agenda Item No. 9 (17/00261/OUM, Land South of Main Street, Witchford), being a County

Council appointed Trustee of the Needhams Charity. The Charity owned the land opposite the application site and a planning application was forthcoming. He said he would leave the room before the debate and voting on the application took place.

132. MINUTES

It was resolved:

That the Minutes of the Planning Committee meeting held on 5th April 2017 be confirmed as a correct record and signed by the Chairman.

133. CHAIRMAN'S ANNOUNCEMENTS

- The Chairman welcomed Zoe Boyce-Upcraft, Planning Assistant, to her first meeting of the Planning Committee and invited her to observe the proceedings ;
- Members were asked to note that Tim Driver, Planning Solicitor, was now the legal advisor to the Planning Department;
- The Chairman said that the issue of sustainability and the Council's lack of a 5 year supply of housing land applied to several of today's applications. It was not intended that these matters should be rehearsed for each application because Members were already well versed in them. However, each application would be considered on its own merits.

134. 16/01363/FUL – THE BUNGALOW, ABBEY LANE, SWAFFHAM BULBECK, CB25 0NQ

Richard Fitzjohn, Planning Officer, presented a report (R274, previously circulated) which sought permission for the erection of two detached dwellings and a detached outbuilding comprising a garage and annex/study

It was noted that the application had been called in to Planning Committee by Councillor Mike Rouse in view of the lengthy process already having been taken with the application and due to concerns regarding contamination.

The site was located outside the development envelope of Swaffham Bulbeck, in a predominantly rural location on the corner of the B1102 and Abbey Lane. It was located adjacent to a dwelling which was currently under construction to the north-west (a replacement dwelling approved by planning application 15/01601/FUL). A mature conifer hedge and trees surrounded the other boundaries of the site.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial image, the layout of the

proposal, key elevations and a number of photographs, both outside of and within the site.

The Planning Officer said the key issues for consideration in the determination of this application were:

- Principle of development;
- Character and appearance of the area;
- Ecology and trees;
- Contamination risks;
- Highway safety;
- Residential amenity; and
- Archaeology.

Members were reminded of the Council's current inability to demonstrate an adequate 5 year supply of land for housing. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) meant that permission for development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicated that development should be restricted.

It was noted that the site was located 95 metres from the edge of the nearest settlement boundary and isolated from the main settlement of Swaffham Bulbeck. It was in a very rural location, with the closest local shop and pub being located 0.5 miles away from the site access; the closest primary school was located 0.7 miles from the site access. Members were reminded that a number of planning appeals had recently been dismissed for reasons including sustainability, and the Planning Officer stated that this could be given significant weight in the planning balance.

Although the site was relatively well connected to Swaffham Bulbeck by public footpath, the occupiers of the proposed dwellings would be highly reliant on the car to gain access to facilities and services. This would weigh against the environmental dimension of sustainable development and would not accord with paragraph 49 of the NPPF.

The area surrounding the application site was predominantly rural in nature, mainly comprising open agricultural fields with a lack of built form. Other than the replacement dwelling, which was currently under construction adjacent to the site, the application site was isolated from any other built form. Although some screening could be provided by existing boundary trees, it was noted that many of these trees could be removed without requiring permission.

It was considered that the proposed dwellings would create an urbanising impact which would erode the predominantly rural character and be visually intrusive upon the surrounding rural landscape.

The submitted Ecology Survey concluded that the proposal would have no effect on the nearby habitats of statutory designated sites. On-site habitats were of low ecological value and no rare or protected habitats had been identified. The Arboricultural Impact Assessment confirmed that all trees within the site would be retained and protected in accordance with British Standard 5837:2012 during the construction phase.

Members were reminded that the application site included land which was formerly a chalk quarry. In connection with this, Environmental Health had stated that the site was an unsuitable location for residential development due to its previous use as a waste tip and therefore recommended that the application be refused.

In connection with the previous planning application for a replacement dwelling on the site, the Council commissioned an independent review (by EPS) regarding contamination. Having reviewed the response from EPS, it was considered that the contamination risks could be dealt with by strict planning conditions which would ensure adequate reduction and management of impacts.

With regard to highway safety, the Planning Officer said the Local Highways Authority had requested a holding objection as the application was not supported by sufficient highways information to demonstrate that the proposed development would not be prejudicial to highway safety. The applicant's agent had been provided with a copy of the holding objection, but an amended plan had not been received which addressed the issue. In view of this, it was considered that the application did not provide sufficient details to demonstrate that the proposed development would provide a safe access to the highway network and, for this reason it failed to accord with Policy COM7.

The proposed dwellings provided sufficient amenity space for future occupiers and would not create any significant detrimental impacts upon residential amenity. The scheme was therefore considered to accord with Policy ENV2 of the Local Plan.

Speaking of archaeology, the Planning Officer stated that Cambridgeshire County Council Archaeology had recommended that a condition be appended to any planning permission, requiring an archaeological investigation to be carried out.

In terms of the planning balance, it was noted that although the proposal would provide two additional residential dwellings to the District's housing stock, this benefit would be outweighed by the significant and demonstrable harm created by the siting of the proposed dwellings in an unsustainable location, the increasing reliance on the private car to gain access to services and facilities and the detrimental urbanising impact upon the surrounding rural landscape. Furthermore, the proposal failed to demonstrate that the proposed development would provide a safe access to the highway network.

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

- Here was yet another application for a site outside of the development envelope;
- As the Council was currently unable to demonstrate a 5 year supply of housing land, all the Local Plan policies should be considered out of date and the development envelope was irrelevant. It was therefore important that this application came before the Committee;
- The bar was set high where there was no 5 year supply of housing land;
- Because of holidays, the architect had not had time to respond to the Highways holding objection. There was an adequate verge and this issue could be addressed by means of a condition, possibly a Grampian condition;
- Over the last 6 – 7 meetings of the Planning Committee, a number of family homes had been granted permission and this proposal would provide two more;
- In relative terms, the distances were highly sustainable;
- The applicant had submitted full landscape and visual impact assessments. If she had believed the application was worthy of a refusal, she would not have submitted it;
- Two more family homes would not be outweighed by significant and demonstrable harm;
- The contamination was waste soil from previously developed land within the domestic curtilage.

At the invitation of the Chairman, Councillor Allen Alderson, Ward Member for The Swaffhams, addressed the Committee.

He commenced by saying that the Officer's report stated that there had been no response from the local Member. He wished to clarify that when he was notified of the application, the letter stated that he should respond by 12th May 2017 and this date was incorrect. He would now make his comments, and he duly read out the following prepared statement:

"I object to this application for the following reasons:

- 1) *The proposed dwellings are located within the countryside and, by virtue of its distance from the main settlement of Swaffham Bulbeck is considered to be in an unsustainable location. The erection of dwellings within this location, which comprises an open and rural setting, would create an intrusive urbanizing impact upon the surrounding rural landscape.*

The proposal fails to comply with the Policies GROWTH5 and COM7 of the East Cambridgeshire Local Plan and paragraphs 14 and 55 of the National planning Policy Framework, as it fails to promote sustainable development. It is also contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan.

One of the proposed dwellings has a ridge height of 7.3 metres which means it will be very visible, as is the dwelling that has already been constructed. Policy ENV1 of the East Cambridgeshire Local Plan 2015 requires new development proposals to demonstrate that their location creates positive complementary relationships with existing development and conserves and enhances space between settlements and their wider landscape setting.

- 2) The Council's Environmental Health department has been consulted on the application and has stated that the site is an unsuitable location for residential development due to its previous use as a waste tip. For this reason the Council's Environmental Health department has recommended that the application is refused.*
- 3) Swaffham Bulbeck Parish Council also has many concerns regarding this application, all of which are detailed under 5.1 in this report. I have also been approached by several concerned residents."*

Councillor Chaplin asked if Officers were absolutely clear that contaminated land was not an issue. Andrew Phillips, Senior Planning Officer, responded, saying that there was no reason why the site could not be cleaned up/made safe, and the contamination condition had already been discharged in part on the previous scheme for one dwelling..

Councillor Beckett noted that as one approached the application site on the main road, it was very clearly open countryside. The dwelling which had replaced the bungalow was very obvious; he believed this proposal was intrusion, not infill and it was too far removed from the main settlement. In view of this, he was minded to go with the Officer's recommendation for refusal.

Councillor Cox disagreed, saying he was in favour of approval. The existing dwelling set a theme in that part of the village, and he did not think the overall impact of the proposal would make a great deal of difference.

Councillor Chaplin remarked that whilst the Council's lack of a 5 year supply of housing land was inescapable, on balance he was minded to support approval

Councillor Bovingdon concurred with Mr Kratz in that this application was very similar to others that had recently been granted permission. He did not think the dwellings would create substantially greater harm and the highways objection could be overcome by conditions. He was therefore minded to support approval of the application.

It was proposed by Councillor Chaplin and seconded by Councillor Bovingdon that the Officer's recommendation for refusal be rejected, and the application be granted planning permission.

When put to the vote, there were 3 votes for and 3 votes against the motion. The Chairman used his casting vote against the motion, saying he

believed the scheme would be intrusive and have a detrimental impact. The motion for approval was duly declared defeated.

It was proposed by Councillor Beckett and seconded by Councillor Austen that the Officer's recommendation for refusal be supported. When put to the vote, the motion was declared carried, there being 4 votes for, and 3 votes against.

It was resolved:

That planning application reference 16/01363/FUL be REFUSED for the reasons given in the Officer's report.

135. 17/00108/FUL – 1 BURY LANE, SUTTON, CB6 2BB

Oli Haydon, Planning Officer, presented a report on behalf of the Case Officer (R275, previously circulated) which sought consent for the erection of a single storey annex to the side of the property to provide assisted living for an elderly relative with severe medical needs.

On a point of housekeeping, the Planning Officer said that at the time of preparing the report there had been no comments received from the Parish Council. These had now been received and the Parish Council had raised no concerns.

It was noted that the application had been called in to Planning Committee by Councillor Lorna Dupré. She wished the application to be determined by the Committee due to the needs of the applicant.

The application site was located to the north of the development envelope of Sutton. There was some vegetation along the eastern and northern boundary which provided some screening and the site was quite set back from the main road. The proposed annex would be located approximately 3 metres from the side elevation and side door of the host property, 1 Bury Lane.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial image, the layout of the proposal, elevations, a photograph of the street scene, images relating to the principle of development and residential amenity, and a photograph relating to visual impact .

The Planning Officer said the key issues for consideration in the determination of this application were:

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

With regard to the principle of development, the Planning Officer stated that it was accepted that where a genuine annex was required it was preferable for it to be created through an extension to the existing dwelling so that it could be incorporated into the main accommodation should it be no longer required. The applicant has said that the annex would be required by an elderly relative who was in need of care but was still able to live a semi-independent life. The host dwelling was owned and occupied by the family of the proposed annex resident and would therefore be able to help with any assisted living needs.

Officers had concerns that the proposed annex was overly large and not subservient or incidental to the host dwelling. The applicant had failed to justify the need for the additional accommodation of this size and there were also concerns that with small internal modifications the annexe could become a fully functioning separate unit of accommodation.

Members were reminded that a similar application for an annex at 14 The Cotes, Soham, had recently been refused by the Planning Committee.

In terms of visual impact, it was considered that the proposed works, when viewed in the context of the residential property and other outbuildings in the surrounding area, would not have a significantly adverse impact on the character and appearance of the host dwelling and the surrounding area.

In connection with residential amenity, the annex would be screened completely from the neighbouring property by the host dwelling and so would not lead to any loss of light, any overbearing impact or any loss of privacy.

As the proposed annex would be located to the side of the host dwelling, it would leave the parking area to the front completely untouched and the elderly relative would not be using a car. It was therefore considered that the proposed development would not have an adverse impact on highway safety.

On balance, it was considered that the proposed development would not be ancillary and incidental to the host dwelling. Due to its size and the proposed layout, it was considered that the annex could ultimately lead to a new separate unit of accommodation in the countryside; the application was therefore recommended for refusal.

At the invitation of the Chairman, Ms Jan Aburrow-Newman, addressed the Committee in support of the application and made the following points:

- She owned the house and the annex was intended for her 93 year old aunt, who had vascular disease;
- Her aunt was a proud lady who wanted to be independent. She would eventually be in a wheelchair, and they wanted her to be able to have some space and live with dignity. A smaller annex would be like being in a prison for her;

- The annex would be only 3 metres away from the French windows of her house. It was intended as a mobile unit so that it could be taken down once it was no longer needed;
- The annex would not become a separate dwelling. There was only Ms Aburrow-Newman and her partner living in the host dwelling and they did not want anyone else living close to them;
- The proposal offered a quick easy solution to care for her aunt, who would end up in a wheelchair.

Ms Aburrow-Newman then responded to comments and questions from the Committee.

In response to a question from the Chairman, Ms Aburrow-Newman said that the size of the annex was intended to enable her aunt to have sufficient space to be able to live with dignity and to make things easier for her when she needed to use a wheelchair.

Councillor Austen noted that the annex had a toilet and she asked if it was intended to put in a wet room. Ms Aburrow-Newman replied that if granted permission she would like to install a wet room for her aunt.

At this point, the Planning Solicitor advised Members of the Public Sector Equality Duty (S149, Equality Act 2010) and read out the following:

“The duty applies to all decisions made by a public sector body like the Council.

“This is a statutory duty so it is not discretionary. It is placed on all public sector decision makers and cannot be delegated. There are relatively few statutory exceptions to the duty none of which will usually apply in planning cases.

“The duty is to have due regard to the need to (i) eliminate discrimination and other prohibited conduct under the Act; (ii) to advance equality of opportunity between persons who share relevant protected characteristics and those who do not; and (iii) to foster good relations between such persons.

“The principle one of these as far as an LPA is concerned is (ii). In that context the duty requires having due regard to the need to (a) remove or minimise the disadvantages suffered by persons who share relevant protected characteristics that are connected to that characteristic and (b) take steps to meet the need of such persons that are different from persons who do not share such characteristics. The duty also states that the meeting the needs of disabled persons that are different from persons who are not disabled include steps to take account of that person’s disabilities.

“S149 sets out a wide range of relevant protected characteristics. These include age and disability.

“The duty is to have due regard. It does not necessarily require an equality impact assessment. It also does not require a decision-maker to do or not do

anything but it does require the duty to be had before the final decision is made. In most circumstances it will be important to ensure that the duty and how it has been carried out is recorded. Failure to consider the applicability of the duty or how it should be complied with could be raised in the context of an appeal, or in any judicial review or other challenge to the decision which is made."

During the course of discussion, Councillor Beckett asked whether it would be possible to impose a condition restricting occupancy of the annex to a named person. The Planning Manager replied that it could be added to any other conditions, along with a requirement for the annex to be removed when it was no longer needed.

Councillor Beckett continued, saying that whilst the Planning Officer had put forward a very good case he had great sympathy for the applicant. He recalled that the application at The Cotes had been refused, in part, due to the distance of the annex from the host dwelling. He thought it would be far better if the annex were to be connected to the house rather than giving permission for a separate structure.

Councillor Cox agreed, adding that the proposed structure should have some sort of a covered walkway or corridor linking it to the house. It should then be dismantled once no longer needed.

Councillor Chaplin did not think the structure should have to be taken down, but he questioned whether a covered walkway might be in conflict with the lady's wishes.

Councillor Austen felt the proposal was rather large and she asked why it had a study. Ms Aburrow-Newman replied that it was intended as somewhere that she could sit and work next to her aunt if her aunt should become bedridden. She would also be on hand to help her get dressed and attend to her needs.

Councillor Bovingdon said he had taken into account the comments about The Cotes but he felt this case was slightly different. He would not comment on the aunt's needs, and he did have concerns regarding the cabin being sited away from the main structure; however he supported approval of the application.

The Chairman believed the structure was large, but size was a matter of opinion. There were the issues of the relative's independence, which were complicated by the feeling that the proposal should be attached to the host dwelling. It was about having something that would meet the needs of the person and their carer.

It was proposed by Councillor Bovingdon and seconded by Councillor Chaplin that the Officer's recommendation for refusal be rejected and that the application be granted approval.

When put to the vote, the motion was declared carried, there being 6 votes for, none against and 1 abstention. Whereupon,

It was resolved:

That planning application reference 17/00108/FUL be APPROVED for the following reasons:

- Members believe that the proposal will not be overbearing;
- It will meet the needs of a potentially disabled occupant;
- It will be a temporary structure, to be removed within six months of no longer being needed.

It was further resolved:

That the Planning Manager be given delegated authority to impose suitable conditions.

136. 17/00121/FUL – LAND OPPOSITE HAWES LANE, WICKEN, CB7 5XH

Andrew Phillips, Senior Planning Officer, presented a report (R276, previously circulated) on behalf of the Case Officer, which sought planning permission for the erection of a two storey dwelling and a double car port.

It was noted that the application had been called in to Planning Committee by Councillor Ian Bovingdon in order to expedite a decision rather than have a series of planning applications on the site.

The site was located approximately 150 metres to the northwest of the development envelope of Wicken. A number of residential properties were located to the north of the site on the opposite side of Stretham Road, with further dwellings to the south and southeast. The site was relatively open, especially when viewed from the north and west. A footpath was located on the eastern side of Stretham Road and it was noted that the speed limit on the road became 30 mph to the west of the application site.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial image, the layout and elevations of the proposal, a photograph of the street scene, and various photographs relating to the principle of development, visual impact, and residential amenity.

The Senior Planning Officer said the main considerations in the determination of this application were:

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

Speaking of the principle of development, the Senior Planning Officer reiterated that the Council could not currently demonstrate a 5 year supply of housing land; he would not go into this in detail as Members were already very well rehearsed on the matter. He continued, saying that the services that were provided within Wicken were not easily accessible from the site by public footpath as the future residents of any dwelling approved on this site would have to cross the main road into Wicken to make use of the footpath to the eastern side of Stretham Road. It was considered that this was an unattractive and inadequate environment for pedestrians and was likely to mean that future residents would access the village services and wider towns and facilities by car, which meant the site was poorly connected to services and facilities.

It was considered that the rural appearance of the site provided a valuable contribution to the surrounding countryside and the site connected strongly with and contributed to the value and character of the surrounding landscape. Members were reminded of the off-site planning history in respect of application reference 15/00888/FUL, 9 Stretham Road; it was noted that this application had been refused at appeal as the Inspector agreed with the LPA's decision that the extension was overlarge.

In terms of residential amenity the proposed dwelling would be well situated within the plot and had been designed in such a way as to ensure that there would not be an adverse impact on the amenity of the neighbouring plots. The scheme would not lead to a loss of privacy or the creation of an overbearing impact on the neighbouring properties.

The Highways Authority had not objected to the scheme, and subject to conditions, the access and parking arrangements within the site were considered acceptable.

Bird and bat boxes could be implemented within the scheme and a drainage scheme could be secured by conditions.

On a point of clarification, the Chairman highlighted that the dwelling would access the main road, and not Hawes Lane, from an existing field access.

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

- An unsustainable location and the rural character of the area were given as reasons for refusal;
- The NPPF stated that there were three elements to sustainability, one of them being the social role of creating strong, vibrant communities;
- The Authority could not currently demonstrate a 5 year supply of housing land;

- The Authority had previously granted planning permission where application sites were further away from facilities and services, such as in Soham and Little Downham;
- The site is within 5 metres of a public footpath;
- The road has a 30 mph speed limit;
- Many locations in East Cambridgeshire depend on the use of a car;
- With regard to sustainability, the site is directly adjacent to a three storey dwelling;
- This application is in a similar situation to that of Item No. 8 on this agenda. That application has been recommended for approval and is not considered to be visually intrusive;
- This application is no different;
- The dwelling will assimilate with the end of the village, thereby improving the entrance to the village;
- The proposal will have no adverse impacts.

Councillor Edwards asked the Senior Planning Officer to clarify the conditions requested by the Highways Authority. He replied that the Authority had asked for the standard conditions that there should be no drainage on to the highway and ensuring cars could enter and leave in a forward gear.

On the issue of sustainability, Councillor Bovingdon said that for the most part, Wicken was unsustainable because it did not have any facilities. As the agent had said, the site was only 5 metres from the public footpath, and this Committee had approved applications in far worse locations. In view of this, he was inclined to go against the Officer's recommendation for refusal.

Councillor Beckett said he could not agree, believing the application to be urban sprawl. It was opposite a rural exception site and although the road had a 30 mph speed limit, he did not think it felt like that on the site visit. He believed this was just the stretching out of development and would result in a distinctive change to the character of the area; the proposal was unacceptable.

Councillor Chaplin concurred with many of Councillor Beckett's points. However, speeding was a police enforcement issue and there was a footpath on the other side of the road. The agent's point about the use of cars in East Cambridgeshire was well made.

Councillor Chaplin also agreed that the visual amenity aspect of the application was quite significant, but he doubted, on balance, that the scheme would cause significant demonstrable harm. He therefore thought that the application should be granted permission.

It was proposed by Councillor Bovingdon and seconded by Councillor Chaplin that the Officer's recommendation for refusal be rejected on the grounds that the scheme would not cause significant demonstrable harm.

When put to the vote, the motion was declared defeated, there being 2 votes for, and 4 votes against.

It was then proposed by Councillor Beckett and seconded by Councillor Cox that the Officer's recommendation for refusal be supported.

When put to the vote, the motion was declared carried, there being 4 votes for, 2 votes against and 1 abstention.

It was resolved:

That planning application reference 17/00121/FUL be REFUSED for the reasons given in the Officer's report.

Councillor Beckett left the meeting at 3.13pm

137. 17/00223/FUL – LAND TO THE SOUTH OF 61 TO 71 EAST FEN ROAD, ISLEHAM, CB7 5SW

Richard Fitzjohn, Planning Officer, presented a report (R277, previously circulated) which sought full planning permission for the erection of two detached bungalows and garages.

The Planning Officer informed Members that amended plans were submitted during the course of the application and these were re-consulted on 13th April meaning that the consultation period expired on 27th April after the Committee report was published. The Planning Officer provided an update to Members that three additional letters of objection were received, one from Isleham Parish Council and two from neighbouring properties. However, no new planning issues had been raised.

It was noted that the application had been called in to Planning Committee by Councillor Joshua Schumann. He believed, in the interests of openness and transparency, that due to Councillor Beckett (being Chairman of Isleham Parish Council and the Ward Member) having to declare a pecuniary interest, it would be best for the application to be determined in an open forum. Councillor Schumann also acknowledged that the Planning Committee recently considered an application in close proximity to the application site, and for the sake of consistency, it would be best for this application to follow a similar pathway.

The site was located outside of, but immediately adjacent to the established development framework for Isleham. It was located on the south side of East Fen Road, predominantly surrounded by open agricultural fields to the north, east and south, with extensive residential built form to the west which was within the established development framework.

A number of illustrations were displayed at the meeting, including a map of the location site, an aerial image, the layout and elevations of the proposal, and a number of photographs relating to the principle of development, character and appearance of the area, residential amenity and ecology.

The Planning Officer said the main considerations in the determination of this application were:

- Principle of development;
- Character and appearance of the area;
- Residential Amenity;
- Highway safety;
- Ecology;
- Archaeology; and
- Flood risk and drainage.

It was noted that the application site was immediately adjacent to the established development framework, well related to existing residential properties and within a 30 mph speed limit section of road. Although it was in very close proximity to a 60 mph section of road, it did not provide a through-route and was very lightly trafficked with footpath connections to the centre of the village. The site was therefore considered to be in a sustainable location.

The Planning Officer stated that the proposed dwellings would be located on agricultural land and visible within the surrounding rural landscape. They would be adjacent to existing dwellings and relate well to the existing built form of the area. The scale and design of the proposed bungalows would be in keeping with the adjacent neighbouring bungalow and not incongruous with the surrounding area. On balance, it was considered that the proposal would not significantly or demonstrably harm the settlement edge, and subject to appropriate materials and an appropriate soft and hard landscaping scheme being agreed with the LPA, the proposed development complied with Policies ENV1 and ENV2 of the Local Plan.

In connection with residential amenity, the Planning Officer stated that the proposed bungalows would be well distanced from neighbouring properties. The proposed bungalows would not create a significant overbearing impact, a significant loss of light or create an unacceptable level of overlooking upon the existing neighbouring properties.

The proposed development would accommodate two vehicle parking spaces within each plot. The Highways Authority had raised no objections to the application. However, in the interests of highway safety, it was considered reasonable to append planning conditions to any grant of permission in respect of access, drainage, and parking and manoeuvring. It was therefore considered that the proposed development would not have a detrimental impact on highway safety.

Speaking next of ecology, the Planning Officer said that the application site was a predominantly open agricultural field which appeared to be intensively farmed and was unlikely to provide a significant ecological habitat. Conditions could be appended to any grant of planning permission requiring the provision of bird and bat boxes, in addition to soft landscaping, which could provide ecology enhancements.

Cambridgeshire County Council Archaeology had recommended a condition be appended to any grant of planning permission requiring an archaeological investigation to be carried out. Due to the site being within an area of archaeological potential, this recommended condition was considered to be reasonable.

The Planning Officer stated that the application site was located within Flood Zone 1. Neighbouring occupiers had raised concerns regarding flood risk and drainage issues, but the LPA did not hold any evidence which would suggest the proposal would be unacceptable in respect of flood risk. The application proposed to dispose of surface water via soakaways, the details of which could be secured through a planning condition. It was therefore considered that the proposal would not create any significant adverse impact in respect of flooding.

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

- This was a simple and straightforward application for two bungalows;
- The site was not isolated. It was immediately adjacent to the adopted boundary and part of the urban area;
- The Council was currently unable to demonstrate a 5 year supply of housing land and therefore the presumption in favour of development should prevail;
- Any harm would not outweigh the benefits of the proposal. It was in a sustainable location with good facilities in the village;
- The scheme would not be intrusive as it would mirror the existing properties;
- The impact on neighbours would be minimal and there had been no objections from Highways or Environmental Health;
- This was a modest scheme which would contribute to the District's housing needs;

- He was content with the conditions, as set out in the Officer's report.

Councillor Bovingdon declared himself to be slightly intrigued, as this application appeared to be similar to the last one in that it was located at the end of a built up area. This proposal was considered to be sustainable and he wondered on what basis this had been reached. The Planning Officer replied that this section of East Fen Road had dwellings on the opposite side of the road to the application site which appeared as a natural end to the village. There were no significant highways issues as the road did not really go anywhere other than to farms and had very light traffic.

The Chairman commented that while the application might look similar to the previous case when viewed on a map, when one was actually standing on the site, there was no comparison. This, he felt, highlighted the importance of site visits.

In proposing that the Officer's recommendation for approval be supported, Councillor Cox said that he substantially agreed with the Officer's view that the site was at the end of the village. Councillor Bovingdon seconded the motion for approval.

When put to the vote,

It was resolved unanimously:

That planning application reference 17/00223/FUL be APPROVED subject to the recommended condition as set out in the Officer's report.

Councillor Beckett rejoined the meeting at 3.28pm and Councillor Rouse left the meeting at this time.

It was duly proposed and the Committee agreed that Councillor Beckett should assume the Chair for the duration of the next item of business.

Councillor Beckett assumed the Chair.

138. 17/00261/OUN – LAND SOUTH OF MAIN STREET, WITCHFORD

Barbara Greengrass, Senior Planning Officer, presented a report (R278, previously circulated) which sought outline planning permission for residential development of the site with up to 46 dwellings together with public open space, landscaping, highways and drainage infrastructure. All matters were reserved apart from means of access. The proposal was to provide for a central access point onto Main Street. The applicant proposed to retain the existing agricultural shed to the north east corner of the site.

On a point of housekeeping, Members' attention was drawn to a tabled paper which set out the following matters which had arisen since the Officer's report had been written:

1. Errors in the report – page 13 paragraph 7.23 – the applicant has subsequently advised that it is theoretically possible to provide a link to Barton Close but this is not proposed as part of this application.
Page 15 paragraph 7.43 – comments on education are incorrect.
2. Comments have now been received from County Education. They have requested:
Early years provision of £258, 468
Primary school provision of £419, 339
Secondary school provision of £296,004
TOTAL = £973,811
The applicant has agreed to the principle of making a contribution but not at the level requested. It is therefore recommended that a contribution for education is included within the S106 legal agreement and details of the amount will be negotiated.
3. Consultation response from the Housing Enabling Officer raising no objections to the amount of affordable housing provision.
4. Comments have been received from Councillor Stuart Smith, who supports the views of Witchford Parish Council in objecting to this planning application.
5. A local resident raises additional concerns requesting provision of a community facility on site, provision of roads wide enough to accommodate parked cars, the village should be more community based with a central hub and incorrect information has been provided on the bus service.

It was noted that the application had been called in to Planning Committee by Councillor Cheetham as he objected to the residential development of the site for the reasons set out in paragraph 5.15 of the Officer's report.

The application site was located at the western edge of the settlement on the southern side of Main Street, just adjoining the settlement boundary and between two parts of the defined settlement boundary for Witchford.

A number of illustrations were displayed at the meeting, including a map, an aerial image with an outline of the application site, the indicative layout of the proposal, and indicatives relating to visual impact, public open space, and flood risk and drainage.

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

- Principle of Development;
- Visual Impact;
- Housing Mix and Affordable Housing;

- Layout and Public Open Space;
- Access and Highway Safety;
- Residential Amenity; and
- Flood Risk and Drainage.

The Senior Planning Officer said that as Members were well aware of the Council's current inability to demonstrate an adequate 5 year supply of land for housing and the NPPF's presumption in favour of sustainable development, she would not go into this in detail.

The Committee noted that given the site's proximity to the established settlement boundary, the level of goods and services on offer in Witchford, the existence of a primary and secondary school, and its connectivity to Ely and Cambridge, it was considered that the site was in a sustainable location.

The proposal for up to 46 dwellings would add to the District's housing stock and make a significant contribution to the shortfall in housing land supply. The scheme would also include the provision of 30% affordable housing.

Members were reminded that this site was proposed for housing development in the 'first call for sites' exercise alongside the preliminary draft Local Plan in February/March 2016. The site was rejected by the Council and not taken forward into the further draft Local Plan in January/February 2017. However, in determining this application, a different test was applied to that which was applied when assessing a site's suitability for inclusion in the Local Plan. As the residential development of this site was considered to be sustainable, the proposal should only be refused permission if it could be demonstrated that there was significant and demonstrable harm as a result of the development.

With regard to visual amenity, the applicant had submitted an indicative master plan demonstrating how up to 46 dwellings might be accommodated on the site together with a number of parameter plans indicating key design considerations. The proposals sought to maintain and enhance the well established structural landscape to the boundaries and a landscape strategy would provide structure to the proposed residential development and tie in with the surrounding existing vegetation along the boundaries and wider green infrastructure within the setting.

The proposals would not give rise to any significant or demonstrable harm to the character of the landscape, and it would not result in significant harm in terms of its impact on the character of this part of Main Street. Housing development would not appear out of context, particularly given the low density proposed and the retention of much of the existing vegetation to adopt a landscape led approach.

The applicant had provided a breakdown of dwellings sizes proposed for the market and affordable homes, with 30% affordable units giving a total of 14 affordable units. This was not for consideration at outline stage and the mix might change to meet the demand at the time of the reserved matters application. However, the applicant had demonstrated that a mix of housing

could be accommodated on the site and this would need to be secured by means of a S106 Agreement if permission was granted.

Speaking of layout and public open space, the Senior Planning Officer said that the open spaces provision shown in the indicative layout complied with the Council's Supplementary Planning Document. The final layout would have to accord with the level of provision required by the Developer Contributions SPD and this level of provision would be secured by the S106 Agreement attached to any planning permission granted.

It was noted that the new access provision not only safeguarded the existing front boundary hedge and protected trees, but would provide acceptable visibility splays such that the County highways Authority had raised no objections on the impact of the new access or on the wider transport network.

In connection with residential amenity, a satisfactory relationship could be achieved within the development and to safeguard the residential amenity of existing residents, a restriction on the future use of the agricultural shed would be secured by attaching a condition to any grant of permission.

The applicant would be expected to explore the options to reduce the discharge rate to the calculated Greenfield runoff rate. Conditions would be attached as recommended by the Lead Local Flood Authority to secure the exact scheme and the long term maintenance would be dealt with by the S106 Agreement, as a financial contribution would be required for maintenance.

Conditions would be imposed to secure the advised mitigation measures in the ecology report, and it was also recommended that an archaeological condition be imposed.

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

- Witchford is a large village with a range of local facilities;
- The existing bus stop is 160 metres to the west of the application site;
- The site is in a sustainable location and the 46 dwellings will enhance the vitality of the community;
- Highways have no objections to the scheme;
- The development will provide 30% affordable housing, by means of a S106 Agreement;
- It will make a valuable contribution to the District's housing supply and can be delivered quickly;
- It will be Community Infrastructure Levy (CIL) liable;
- The applicant will make financial contributions towards education and drainage. In the case of the former, there will be discussions regarding the necessary tests;

- The 46 homes can be accommodated on the site and the development will not harm the landscape or cause any adverse impacts.

At the invitation of the Chairman, Parish Councillors George Jellicoe and Ian Boylett, representatives of Witchford Parish Council, addressed the Committee.

Councillor Jellicoe informed Members that Councillor Boylett served on the Parish Council's Traffic Management, and Planning Committees.

Councillor Boylett read from the following prepared statement, adding that some of his points had been addressed by the Senior Planning Officer in housekeeping:

'Witchford Parish Council's detailed objections are set out in 5.7 of the report before the Committee. In addition the Parish Council submits the following:

- 1. The Parish Council notes that the developer has not sought to obtain a connection of the site to Barton Close by obtaining the 'ransom strip' that exists between the two sites. Should the application be agreed the Parish Council requests that this be made a condition via a S106 Agreement.*
- 2. The Planning Officer's report at 7.3 states 'the village has a good range of services'. This is factually incorrect. The village has a Chinese takeaway open in the evenings, a Post Office that has a very small retail area insufficient to meet the daily needs of villagers, and a bus service that has been reduced to once every two hours during the main part of the day and which does not run at all on Sundays. The report also at 7.4 refers to the existence of primary and secondary schools in Witchford. Cambridge County Council have already raised its concerns as to capacity at these schools.*
- 3. The Planning Officer's report fails to pay due respect and regard to consultation responses made by villagers. At 5.16 it provides a bullet point list of responses and refers the Committee to the Council's website. The Parish Council consulted with villagers as part of its emerging Neighbourhood Plan and the responses identified the villagers concerns as being:*

*Lack of amenities restricting the village's capacity for growth;
The adverse impact of development would outweigh the benefits;
The lack of capacity in the schools;
The loss of open views altering the character of the village;
The increase in traffic development causes.*

The report fails to discuss these objections, it in effect dismisses the villager's objections.

- 4. The Parish Council refers the Committee to Councillor Cheetham's eloquent support throughout 5.15, that also expands on the Parish Council's objections to the application set out at 5.7.*

5. *The Planning Officer's report at 7.5 states that the application 'would add to the District housing stock and make a significant contribution towards the shortfall in housing land supply with the provision of any additional dwellings attracting significant weight in the planning balance'. The Parish Council notes that this site was not put forward in the Emerging Local Plan being consulted on, which identifies an adequate supply of housing land. The report is therefore contradictory and this conclusion should be a reason for rejection.*
6. *The Parish Council, following consultation with villagers, in its response to the Call for Sites scored this site low and set it, and other sites throughout the village, aside as green open space providing views to retain the rural appearance of the village rather than it becoming a continuous ribbon of housing developments. The villagers rated the preservation of green space and views the second highest priority for the Emerging Neighbourhood Plan. This should be a reason for rejection of the application.*
7. *The Parish Council questions why the developer is not offering, nor being required through a S106 Agreement, to contribute towards education and other facilities as without such contributions the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits. The proposed development therefore conflicts with the criteria set out in the National Framework.*

The lack of a S106 contribution towards education, proportionally similar to that applied to the Gladman's/Bovis development at Field End, should be a reason for rejection of the application.

8. *Witchford Neighbourhood Plan Committee, which comprises Parish Councillors and villagers, acknowledges that there is a requirement for more housing throughout East Cambridgeshire and that Witchford should take 'its fair share'. We believe that to grant planning approval for this application would lead to Witchford taking more than 'its fair share' with devastating consequences on village amenities and infrastructure and would also be to disregard the government's Localism agenda and legislation.*
9. *Witchford Parish Council asks the Planning Committee to reject the application, for the reasons set out in its detailed objections and this submission:*

The site is outside the development envelope;

The site does not meet the criteria for exception sites;

The development would have an adverse impact on schools and there is no provision for a contribution from the developer via a S106 Agreement;

The loss of open space and views and the creation of a ribbon development through the village;

The site is not included in the Emerging Local Plan and its approval would lead to overdevelopment of Witchford Village, unless the allocation in the Emerging Local Plan is adjusted accordingly;

The development is unsustainable and would cause harm to the village, its scene and amenities.'

Councillor Chaplin wished to know the importance of acquiring the ransom strip to adjoin Barton Close and Parish Councillor Boylett said it would be a means of moving from one part of the village to another.

Councillor Austen asked if there was public access to the green site and Parish Councillor Jellicoe stated that it was agricultural land.

At this point, Members noted that Councillor Mark Hugo, a Ward Member, had requested that a statement be read out on his behalf as he was unable to attend the meeting.

With the permission of the Chairman, the Democratic Services Officer read out the following:

'Dear Planning Committee Members

I write as Ward Member for Witchford and I would like this read out in its entirety at the planning meeting on 3rd May when discussing this item. I apologise that due to work commitments that I am unable to attend in person.

I have been in correspondence with the chair of governors Sandra Thompson and the headmaster Chris Terry of Witchford Village College whose initial email is repeated below. (please read also)

I find myself in complete agreement with their views on the lack of Education contribution being requested by the Education Authority as part of the Section 106 agreement for this speculative site i.e. outside any local plan, past or draft.

This seems to be in complete contrast to the recent planning decision for a similar speculative site in Soham where a contribution was not just requested but a recommended figure given. I am aware that a possible mistake may have been made in this application and a request for such funding should have been made and may be corrected by the date of the meeting.

Whilst this email is focussed on today's application I also request that an education contribution should be routinely considered for all large applications for housing in the catchment area for Witchford Village College which includes many neighbouring villages. A similar consideration should be given to primary schools affected by any large development.

Can you please confirm this email will be circulated and read out at the planning meeting when discussing this item.

*Kind regards
Mark Hugo
Haddenham Ward District Councillor*

Email from Chair of Governors starts:

Dear Councillors

I have been reading the minutes and agenda for the ECDC Planning Committee. The points I noted were:

Application for 88 houses in Soham - the Education Authority is seeking a contribution of £116,271 for education. This application was approved in April.

Application for up to 46 houses in Witchford - no comments received from the Education Authority. This application goes to committee on 3 May.

This cannot be fair. There is huge pressure on places at Witchford Village College. We have admitted an extra class into year 7 for the last two years, and are likely to do so again this year, due to demand within our own catchment area. The Governors of Witchford Village College are passionate about providing a brilliant education for all the children in our local area. If developments of this size are allowed with no contribution to education it will eventually lead to the College being unable to admit all those children in our area who want to go here. The Education Authority should be demanding contributions whenever it can. The funding for a pupil is not received in to the school until they have been here a year, funding from developments could bridge the gap and pay teacher salaries until the funding catches up!!

I am asking you to demand that the Education Authority is actively involved in all planning applications - no application should be approved until the Education Authority has had active input, no comment is not acceptable.

I also invite any or all of you to visit the College and see for yourselves what a brilliant job our staff do and the funding difficulties affect our children.

*Sandra Thompson
Chair of Governors
Witchford Village College'*

In proposing that the Officer's recommendation for approval be supported, Councillor Chaplin said he thought the layout of the development was quite sympathetic and could be attractive. He was unsure as to how relevant the requirement to join up with Barton Close was, and to force the developer to pay for the ransom strip could be counterproductive. This Authority lacked a 5 year supply of land for housing and therefore his view was that the application should be approved.

Councillor Austen disagreed, saying that when the Parish Council was so vocally against the proposal, they should be listened to; they were the ones living there and to ignore their views made a mockery of localism.

Councillor Beckett remarked that because of the lack of a 5 year supply, they were at the mercy of the appeals system. It was all about balance and he wondered whether there were grounds enough to refuse the application.

Councillor Bovingdon responded, saying that if the Authority had been able to demonstrate a 5 year supply of housing land, this site would not have come forward. However, Members had to base their judgement on what was in front of them today and he did not believe that the scheme would demonstrably affect that part of the village. He duly seconded the motion for approval.

When put to the vote, the motion was declared carried, there being 5 votes for and 1 vote against. Whereupon,

It was resolved:

That the Planning Manager be given delegated authority to approve planning application reference 17/00261/OUM subject to the completion of a S106 Agreement (to include an education contribution), and the draft conditions as set out in the Officer's report (with any minor revisions to the conditions delegated to the Planning Manager).

There was a short comfort break between 4.00pm and 4.07pm, after which Councillor Rouse rejoined the meeting and reassumed the Chair.

139. 17/00291/FUL – LAND TO NORTH OF 22B NORTHFIELD ROAD, SOHAM

Oli Haydon, Planning Officer, presented a report (R279, previously circulated) which sought permission for two dwellings on land north of 22B Northfield Road, Soham.

It was noted that the application had been called in to Planning Committee as it was a resubmission of a previously determined application decided at Committee on 2nd November 2016. The previous application was recommended for refusal on the grounds of an unsustainable location and insufficient highways information. It was resolved that the application be refused subject to the removal of the sustainability reason and the addition of a reason relating to potential noise levels from Northfield farm.

The site was located outside of the established development framework for Soham, and as such, was considered to be in a countryside location where development is tightly controlled. It was located 1.3 miles from the development boundary and a further 0.5 miles from the services and facilities of Soham.

A number of illustrations were displayed at the meeting, including a map of the application site, an aerial image, the elevations, an overlay on the aerial image to show how the proposal would sit within the site, and a number of photographs including a view of the street scene, and others relating to the principle of development, visual impact and residential amenity.

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

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

With regard to the principle of development, the Planning Officer reiterated that the issue of the sustainability of this site was debated at the Planning Committee of November 2nd 2016. Members considered that the site constituted a sustainable location due to its close enough proximity to the built up area of Soham.

In connection with visual impact, the dwellings would complement the neighbouring dwelling and would not appear incongruous in the street-scene. On balance and given the existence and retention of the majority of the front boundary hedge, it was considered that the proposal would not have a significant and demonstrable impact on the rural character and appearance of the area.

Due to the separation distances between the proposed dwellings and existing development, the proposals would not be harmfully overbearing or cause a significant loss of privacy for neighbouring occupiers.

It was noted that Environmental Health did not consider there to be a harmful impact from the nearby stables. Furthermore, the noise mitigation measures proposed were considered sufficient to avoid conflict with the nearby Northfield Farm, ensuring compliance with Local Plan Policy ENV9. These measures could be implemented into the development without compromising design or visual impact whilst ensuring residential amenity was protected for future occupiers.

Members noted that sufficient highways information had been provided to ensure that the Local Highways Authority had raised no objections to the scheme thereby overcoming the previous reason for refusal on this site.

Drainage and the implementation of biodiversity measures would be secured by condition.

At the invitation of the Chairman, Mr Julian Sutton, agent for the application addressed the Committee and made the following comments:

- He first wished to thank the Officer for the professional manner in which the application had been dealt with;
- This application was a resubmission, and the key issues were sustainability, highway safety and noise;

- Highway safety and noise had been resolved and the sustainability of the location had been established.;
- Sustainability had been improved with the new petrol station having been built;
- There had been no objections from neighbours or statutory consultees;
- The scheme would cause no harm and there were positive reasons to approve the application;
- It would contribute to the District's housing supply and was supported by paragraph 28 of the National Planning Policy Framework.

Councillor Beckett expressed concern regarding the impact such developments could have on rural businesses. He wondered if the proximity of the stables to the dwellings, the smell and noise, would have a detrimental effect on the running of the stables. Mr Sutton replied that the stables were a long running business and would not be undermined. It was not unusual for houses to be in close proximity to such a business.

The Chairman remarked that the Officer had produced a very positive report which showed that all the previous concerns had been addressed.

It was proposed by Councillor Bovingdon and seconded by Councillor Beckett that the Officer's recommendation for approval be supported.

When put to the vote,

It was resolved unanimously:

That planning application reference 17/00291/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

140. 17/00330/OUT – 90 ALDRETH ROAD, HADDENHAM, CB6 3PN

Toni Hylton, Planning Officer, presented a report (R280, previously circulated) which sought outline planning permission for the erection of a detached dwelling, with some matters reserved. Matters of access and scale were to be considered as part of the application, but appearance, layout and scale were reserved.

It was noted that the application had been called in to Planning Committee by Councillor Mark Hugo. He considered the application to be a form of infill, it did not set a precedent for similar development, the site was no longer in agricultural use, the dwelling would be occupied by someone who was retired and the footpath to Haddenham was well used.

The application site was located in the open countryside on the road between Haddenham and Aldreth; the site was approximately 0.4 miles from Haddenham and 1 mile from Aldreth. There were dwellings in close proximity to the proposal but the character of Aldreth Road was sporadic development, most of which related to existing agricultural or horticultural uses, or contributed to the rural economy.

A number of illustrations were displayed at the meeting. These included a map, an aerial photograph showing the site context, and a photograph relating to visual impact.

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

- The principle of development;
- Visual impact;
- The previous application - 01/00854/OUT

The Planning Officer reminded the Committee that this site was considered to be isolated from any built settlement, given its distance from Haddenham and Aldreth. It was located along a 60 mph road in a rural location with a single width footpath which could accommodate pedestrians walking in single file. Walking side by side would be difficult, as it was grassed and uneven and did not constitute a traditional footpath. It was therefore considered to be an unsustainable location for the erection of a new dwelling as there would be a heavy reliance on the use of the private motor vehicle.

The site itself was classified as 'very good' agricultural land according to the Natural England Land Classification Map. Its loss would be detrimental to the rural area and its function for agriculture. Paragraph 109 of the NPPF sought to retain high quality land, and whilst this was not a reason for refusal, it was a factor in the determination of the application.

From a viewpoint of visual amenity, the site location was elevated with views over open countryside. It was considered that the erection of a dwelling in this area would create an urbanising impact, which would erode the rural character and nature of the area.

The Committee noted that in 2001 an application for a detached dwelling was made by the same applicant. It was recommended for refusal and subsequently refused at Planning Committee in November 2001 as it was a dwelling in the countryside. Whilst the proposal was contrary to policies within the Local Plan 2000, and they had since been updated, the principle remained the same. There had been no significant changes in the area or Local Plan policy that would see a shift in allowing an additional dwelling in the rural area. The only change related to the District's shortfall in housing supply, but the reasons for refusal far outweighed the need and one dwelling would not make a significant contribution to the shortfall.

At the invitation of the Chairman, Mr Ben Pridgeon, agent for the applicant, spoke in support of the application and made the following points:

- He concurred with the comments made by Councillor Hugo, as detailed in paragraph 2.5 of the Officer's report;
- The dwelling would be occupied by the applicant, who had lived in the village for many years and wished to continue to serve the community;
- The proposed dwelling could be a family home;
- It was sustainable, not remote and there would not be a reliance on the car because one could walk or cycle to Haddenham and Aldreth;
- The proposal would be well screened and therefore not visually intrusive;
- It would not set a precedent;
- The site was not in productive agricultural use and would not be brought back, so little weight could be attached to the loss of the land;
- There had been no objections from any of the consultees;
- Policy had moved on.

The Chairman noted that Councillor Hugo believed the application to be infill, but Councillor Beckett disagreed. He thought there were houses with gaps and spare plots of land. He wondered what would separate Aldreth from Haddenham if they started to infill, suggesting that they would lose their identity. Here was beautiful countryside and he was minded to support the Officer's recommendation for refusal.

Councillor Bovingdon did not agree with this, saying that he knew the road well. The Parish Council thought it was infill and there were clearly large gaps which could be filled with infill plots. He said he would go against the Officer's recommendation for refusal and duly proposed that the application be granted planning permission.

The Chairman said he too was inclined to agree that it was acceptable as infill. The Parish Council had no concerns and there was sufficient separation from neighbouring properties.

Councillor Cox seconded the motion for approval, saying that he agreed with the views put forward by Councillor Bovingdon and the Chairman.

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

It was resolved:

That planning application reference 17/00330/OUT be APPROVED for the following reasons:

- Members believe that it is a sustainable location;
- It is an infill site within a group of buildings;
- It is not in open countryside.

It was further resolved:

That the Planning Manager be given delegated authority to impose suitable conditions.

141. 17/00373/OUT – LAND ADJACENT TO PHOENIX, BARCHAM ROAD, SOHAM

Oli Haydon, Planning Officer, presented a report on behalf of the Case Officer (R281, previously circulated) which sought outline planning permission for the erection of a single bungalow. Matters relating to access and scale were to be considered.

It was noted that the application had been called in to Planning Committee by Councillor James Palmer as he considered it to be a sustainable location.

The application site was located north of Soham approximately a third of a mile away from the northern edge of the development envelope. The closest part of the town centre boundary was approximately 2 miles away. It was noted that the site was currently used as a paddock.

A number of illustrations were displayed at the meeting, including a map, an aerial image, the layout of the proposal, an aerial image with an overlay indicating how the scheme would fit within the site, a photograph of the street scene and other photographs relating to the principle of development, visual impact and residential amenity.

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

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

It was noted that the Council had recently refused full planning permission for a bungalow and detached double garage (16/00754/FUL) on the grounds of the site being in an unsustainable location. This therefore formed an important material consideration when assessing this application. Members were also aware of recent appeal decisions which had upheld the Authority's decision to refuse permission on the grounds of unsustainable location.

Barcham Road was a 60 mph road with no pedestrian footpaths and there was a limited bus service currently with the closest stop on the A142 and linking with Ely, Newmarket and Cambridge. This would mean that the occupiers of the proposed dwelling would be very likely to depend on a vehicle to access the services and facilities of the town and beyond. The

proposal was therefore considered to be contrary to the requirement of the NPPF to deliver sustainable development.

Turning next to the issue of visual impact, the Planning Officer said that the proposal would have a negative impact on the character of the area from the development of dwellings opposite each other, which was contrary to existing patterns. It was considered that having dwellings on both sides of the road would contribute to a sense of enclosing to Barcham Road against the rural and open character of the area.

The proposed scale of single storey, and the distances to neighbouring dwellings (approximately 30 metres to Klere View and approximately 35 metres to Phoenix) meant that there were not considered to be any significant concerns regarding impact on the residential amenity of these properties.

The Committee noted that no objections had been received from the Local Highways Authority as the required visibility could be achieved without removal of the front boundary hedge. However, the LHA had raised concerns about the increasing number of new dwellings along Barcham Road. Should this incremental development continue it was likely it would result in a detriment to highways safety and an increase in vehicle and pedestrian conflict.

With regard to other material considerations, the Planning Officer said that the Trees Officer considered the hedge (to be partially removed) to be in a poor condition. Sufficient parking would be provided, and the site was located within Flood Risk Zone 1 and therefore at a low risk of flooding.

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

- Barcham was a hamlet of Soham, like Barway;
- Sustainability was a subjective issue, as was the use of the car;
- The NPPF stated that there were three elements to sustainability, one of them being the social role of creating strong, vibrant communities;
- Consent had been given for seven dwellings in Barcham, but Officers had changed their opinion in the light of recent appeal decisions;
- Members had approved applications against the Officer recommendation;
- Many locations in East Cambridgeshire were reliant on the car and anyone living here would understand about living in the countryside. Not everyone wanted to live in an urban area;

- At Forest Heath District Council, an Inspector had allowed an appeal saying '*... reducing travel by car is no longer one of the expressed main concerns of Government policy ... Those living in rural areas will not have the same travel choices as those in a town.*'
- Although this was a national speed limit road, a traffic survey showed the speed to be 33 mph;
- There was a bus stop within 600 metres of the site and an M&S garage/shop 1000 metres away;
- The access would not be in front of the immediately dwellings, and with the proposal being single storey, there would be no significant overlooking;
- None of the statutory consultees had objected;
- The proposal complied with paragraph 14 of the NPPF.

Councillor Beckett felt that the road, which was virtually single track, was defined by its alternating properties, and this provided a nice visual feature and amenity. He was therefore minded to go with the Officer's recommendation for refusal.

Councillor Bovingdon said that he was 'on the fence' about this proposal. He thought the application had similarities to other applications for Barcham, and with it being single storey, it would have less of an impact. He made reference to paragraph 55 of the NPPF and reiterated that this was only an outline application. Considering that other similar applications had been approved, he believed it was a sustainable location.

The Chairman thought that the views put forward had been very finely balanced. This was a more open site, with some very fine properties in the locality.

Councillor Edwards said she was concerned about the amount of traffic that would be using the road as, with more properties, it was likely to build up.

In proposing that the Officer's recommendation for refusal be supported, Councillor Beckett said that whilst alternating houses gave a more rural feel, having them on both sides of the road would have an urbanising effect. Councillor Edwards seconded the motion.

When put to the vote, the motion for refusal was declared carried, there being 3 votes for, 2 votes against, and 1 abstention.

It was resolved:

That planning application reference 17/00373/OUT be REFUSED for the reasons given in the Officer's report.

142. 17/00374/OUT - PLOT NO 1 LAND ADJUST TO PHOENIX, BARCHAM ROAD, SOHAM

The Committee received a report (R282, previously circulated) which sought outline planning permission for the erection of a single bungalow. Matters relating to access and scale were to be considered.

It was noted that the application had been called in to Planning Committee by Councillor James Palmer as he considered it to be a sustainable location.

In response to a question from the Chairman, Oli Haydon, Planning Officer, confirmed that this report was exactly the same as the preceding report and he did not have any other comments to make regarding the application.

The Chairman next asked Members if they had any comments or questions regarding the application and they confirmed that they did not.

It was duly proposed by Councillor Beckett and seconded by Councillor Austen that the Officer's recommendation for refusal be supported.

When put to the vote, the motion for refusal was declared carried, there being 3 votes for, 1 vote against, and 3 abstentions. Whereupon,

It was resolved:

That planning application reference 17/00374/OUT be REFUSED for the reasons given in the Officer's report

143. 17/00385/VAR3M – ELY LEISURE VILLAGE, DOWNHAM ROAD, ELY

Rebecca Saunt, Planning Manager presented a report (R283, previously circulated), which sought to vary condition 1 of the previously approved planning application 16/00372/RM3M. The changes to the originally approved plans were detailed in paragraph 2.1 of the Planning Manager's report.

On a point of housekeeping, Members were asked to note that the description of the application was incorrect and should read:

'Variation of condition 1 (Approved Plans) or previously approved 16/00372/RM3M for approval of the detailed appearance, landscaping, layout and scale for the construction of a district wide leisure centre.'

The Planning Manager said that all of the comments received on the application clearly related to the leisure centre and the plans/details submitted with the application related to the leisure centre and not the cinema development as a whole, which was the application number the

agent referred to on the application form (14/01353/FUM). She had discussed the matter with the Planning Solicitor. She apologised to Members for the error not having been picked up sooner.

It was noted that the application had been brought to Committee as East Cambridgeshire District Council was the applicant.

The site was located on the north-western edge of Ely, adjacent to the A10 and was accessed from Downham Road. This proposal formed Phase 2 of the previously approved hybrid application for the cinema, associated restaurants and the outline element of the leisure centre. The site was located just outside the Ely development envelope, but sat within a landscape of intermittent built forms and adjacent to the cinema development which was currently under construction.

A number of illustrations were displayed at the meeting. These included a map, an aerial photograph of the site location, the originally approved elevations, the proposed amendments to the elevations, and two computer generated images of the proposal in relation to principle of development and residential amenity, and visual amenity and historic environment.

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

- Principle of Development
- Residential Amenity
- Visual Amenity
- Historic Environment
- Highways
- Ecology
- Flood Risk and Drainage

The principle of development had already been established through the granting of application 16/00372/RM3M.

With regard to residential amenity, the plant, which was originally proposed on the roof, had now been located internally. This amendment had formed part of a noise report which was submitted by the applicant to address a condition on the outline permission and Environmental Health were satisfied with the findings of the report. Given the positioning of the building in relation to neighbouring buildings, the proposed amendments would not have an impact on residential amenity and the proposal complied with Policy ENV2 of the Local Plan.

It was noted that the overall height of the buildings had been reduced, which reduced the overall visual appearance of the buildings in the landscape. Following the internal amendments there had been some alterations to the fenestration. The height of the brick plinth had been

increased and an alternative to the rain screen material on the sports hall had also been proposed. It was not considered that these amendments would have an adverse visual impact on the development as a whole. However, as concerns had been raised with the applicant regarding the alternative rain screen material proposed, a condition had been recommended to request details of this material, notwithstanding the details submitted as part of the application.

The impact on the historic environment was previously assessed as part of the reserved matters application. The proposed minor amendments would not have any impact on views of the Cathedral and therefore the proposal would not have an adverse impact on the historic environment.

Members noted that the original parking was to have been in two sections, but this had now been amalgamated into one section. The same number of parking spaces would be retained.

The proposed amendments would have no impact on ecology and they would not impact flood risk and drainage as sufficient information had been submitted to enable discharge of condition on the outline permission.

There being no comments or questions from Members, it was proposed by Councillor Beckett and seconded by Councillor Bovingdon that the Planning Manager's recommendation for approval be supported. When put to the vote,

It was resolved unanimously:

That planning application reference 17/00385/VAR3M be APPROVED subject to the recommended conditions as set out in the Officer's report.

144. PLANNING PERFORMANCE REPORT – MARCH 2017

The Planning Manager presented a report (R284, previously circulated) which summarised the planning performance figures for March 2017.

It was noted that all the appeals listed in the report had been dismissed. The Planning Manager highlighted that in the case of 16 Chapel Lane, Reach, the Officer recommendation had been for approval, but Members refused the application at Committee.

The staffing of the department was now up to full strength and consideration was being given to increasing the hours of some Officers to help cope with the current influx of applications.

Validation was currently being achieved within 8 days.

Members noted that Richard Kay, Strategic Planning Manager, was being kept fully aware so that information could feed into the emerging Local Plan.

It was resolved:

That the Planning Performance Report for March 2017 be noted.

The meeting closed at 4.57pm.