



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 August 2016
at 2.00pm

P R E S E N T

Councillor Joshua Schumann (Chairman)
Councillor Sue Austen
Councillor Derrick Beckett
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Bill Hunt (Substitute for Councillor David Chaplin)
Councillor Tom Hunt
Councillor Mike Rouse
Councillor Lisa Stubbs

OFFICERS

Julie Barrow – Senior Planning Officer
Jo Brooks – Director, Operations
Maggie Camp – Legal Services Manager
Ruth Lea – Senior Lawyer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Juleen Roman – Planning Enforcement Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Michael Allan
Councillor Anna Bailey
Councillor Richard Hobbs
46 members of the public attended the meeting.

27. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Ian Bovingdon, David Chaplin, and Neil Hitchin.

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

28. DECLARATIONS OF INTEREST

Councillor Rouse declared a Disclosable Pecuniary Interest in Agenda Item No 5 (15/01417/F3M – Land at Barton Road Car Park, Barton Road

Ely), being a Trustee and Director of the Youth Ely Hub. He said he would leave the Chamber before consideration of this item.

Councillor Stubbs declared a personal interest in Agenda Item No. 5, being a member of the Asset Development Committee. She said she would come to the application with an open mind.

Councillor Bill Hunt declared a prejudicial interest in Agenda Item No. 5, being Chairman of the Asset Development Committee. He said he would leave the Chamber before consideration of this item.

29. **MINUTES**

It was resolved:

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

30. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that a film crew from NHK TV was present to film the Fordham Abbey application (16/00481/FUM, Agenda Item No. 6), but they would not be filming members of the public.

The Chairman welcomed Juleen Roman, Planning Enforcement Officer, to her first meeting of the Committee.

At this point, Councillors Mike Rouse and Bill Hunt vacated the Chamber.

31. **15/01417/F3M - LAND AT BARTON ROAD CAR PARK, BARTON ROAD, ELY**

Andrew Phillips, Senior Planning Officer, presented a report (R68, previously circulated) which sought planning permission for 11 dwellings with alterations to the existing access.

It was noted that Councillor Lorna Dupré had requested this application be determined in public and it was the view of the Planning Manager that with both the amount and nature of objections, this application should be determined by the elected body of the Local Planning Authority.

Tabled at the meeting were two further letters objecting to the proposal.

Numerous illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, the existing layout of the site, a block plan of the proposal, details of the houses, the gardens, parking, the street scene, elevations and floor plans of the townhouses and apartments, and floor plans of the garage block. There was also an illustration which set out the planning balance in terms of negative versus positive effects.

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

- Principle of development;
- Tourism/economic activity;
- Visual amenity and historic environment; and
- Highway safety and parking provision.

The Planning Officer stated that the Local Planning Authority (LPA) was currently unable to demonstrate an adequate five year supply of land for housing 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, as set out in the National Planning Policy Framework (NPPF), unless any adverse impact would significantly and demonstrably outweigh the benefits.

The proposal was located within the settlement framework and was well connected to services and facilities in Ely, and for these reasons it was considered to be a sustainable location for new dwellings.

Members noted that the main issue with regard to tourism and the economic output of Ely was the loss of parking. The Local Planning Authority (LPA) could not control the allocation of parking between coaches, cars and market traders because this was controlled by the developer. However, the LPA controlled how the land was used and the loss of land for vehicle parking within the city required careful consideration.

If the application was granted approval, the car park would be able to accommodate 196 cars, and there would be 17 private parking spaces for the dwellings. The Local Highways Authority had advised that in order to ensure that coach manoeuvring and parking was able to work in practice, it was likely that an additional 6 car parking spaces would be lost from those proposed. This could rise to a loss of 15 public parking spaces in order to give more space to coach parking and turning.

The proposal would also lead to the loss of 5 coach parking spaces, which would be replaced with a single coach drop off space. The developer had demonstrated that it would be possible for a standard (12metre long) bus to enter and leave the site in forward gear without blocking any other parking space. This was based on one coach at a time but if additional coaches arrived at the same time, or people had not parked within the white lines of the parking bay, then the use of the car park would become increasingly difficult.

The developer had organised temporary coach parking at Lancaster Way before moving it to the proposed leisure centre once it had been constructed. Both of these locations were edge of city and were considered to be within easy reach of Barton Road.

The Senior Planning Officer said the creation of an additional 11 dwellings needed to be balanced against the loss of parking spaces. It was considered that the proposal would create minor to moderate harm to the tourism and economic activity of Ely, but when balanced against the economic output created by the additional residents, the proposed dwellings could positively add to the economic activity of the area.

Speaking of visual amenity and the historic environment, the Senior Planning Officer stated that the National Planning Policy framework made it clear that a LPA must define the harm to heritage assets and then consider the public benefits.

The immediate view from Barton Road was over a public car park that negatively contributed to the character of the Conservation Area. Beyond the car park were the Listed Buildings of St Mary's Church (Grade 1) and the Cathedral (Grade 1). Whilst the view of these Listed Buildings would be obscured from this part of Barton Road by the addition of the three storey buildings, they would still be viewable from the public car park. It was reiterated that this view was limited further along Barton Road by existing buildings and the trees within the school playing field opposite the site.

The Committee noted that the proposal was not considered to have any impact on the long distance views of the Cathedral. It was considered that the level of harm to the Listed Buildings was less than substantial. The public benefit would be the addition of 11 dwellings, including affordable dwellings, and this would outweigh the loss of the view to these Listed Buildings.

Barton Road was a mix of building styles that had one example of a two storey simple Georgian House. However, it did not have a street scene that was defined by either three storey buildings or pre-Victorian architecture.

The proposed houses would be 'Georgian' rather than 'mock Georgian', and the style could be tightly controlled through the use of conditions to ensure that the detailing was of the highest quality and to prevent current styling (e.g. stretcher bond) watering down the style.

With regard to residential amenity, Members noted that the nearest dwelling to the proposed development was 20 Barton Road. This property had two side windows at ground floor level facing the application site and a window close to the common boundary facing towards the road. It was considered that, with the size and location of the proposed apartment block, there would be a moderate increase in overbearing and the loss of afternoon sunlight received by 20 Barton Road. However, Officers did not consider that this should warrant a reason for refusal.

It was not believed that the Youth Centre would have any negative impact on the proposed dwellings or vice versa.

The Senior Planning Officer said that the Local Highways Authority (LHA) was concerned that the swept path analysis for a 12 metre coach showed that only one coach could enter, drop off/pick up and leave in forward gear within the car park at any one time and this would be dependent on cars being parked completely within the white lines. There

were concerns that, in practice, the flow of traffic through the car park would become disrupted, which would lead to traffic waiting on Barton Road or finding somewhere else to park.

Whilst the residents of Militia Way lived on an adopted highway, they did not have a vehicular link to the highway network, as only the footpath linked up. The car park remained private land with no right under planning legislation or known highway legislation for access over to Militia Way. The swept path analysis had shown that vehicles would still be able to enter and leave Militia Way and there was no reason to believe that emergency vehicles would not be able to gain access.

It was therefore considered that the proposal would not, in itself, cause any detrimental risk to the users of the public highway. However, the long term flow of traffic within the car park was an issue because it could not be controlled through the planning process or conditions.

The proposed development was Community Infrastructure Levy (CIL) liable, but there had not yet been detailed discussions regarding the type/amount of affordable housing that should be provided. This was still to be negotiated and would be secured through a S106 Agreement.

Drawing Members' attention to the slide which set out the planning balance between the negative and positive aspects, the Senior Planning Officer said the combined harm to the setting of the Listed Buildings and Conservation Area was considered less than substantial. It would not demonstrably and substantially outweigh the public benefits of 11 new dwellings subject to the proposed conditions as well as securing affordable housing.

At the invitation of the Chairman, Ms Michelle Wolfe and Mrs Lesley Bishop spoke in opposition to the application and each read from the following prepared statement:

'Good afternoon. Thanks to Mr Phillips, Senior Planning Officer, for his report and presentation.

We have a number of objections to these proposals:

First, the proposed dwellings are entirely out of keeping with the existing street scene of Barton Road in form, height and style. They will also obliterate views of Ely Cathedral and St Mary's Church. A 3 storey Georgian terrace has no rightful place in the historic Militia Quarter. The Council Conservation Officer supports our objection citing 'substantial harm to the designated conservation area'. Furthermore, these proposals contravene Strategic Objectives 4 and 5 of our Local Plan adopted only last year.

Second, the loss of car parking spaces at Barton Road car park is unacceptable. The Planning Officer's report states that 15 spaces will be lost and up to a further 15 spaces will go because of the inadequate turning and parking plans for the coach drop off point. A total of 30 spaces lost in a busy car park in the centre of Ely.

Current disabled car parking provision has been under-represented on the applicant's drawings. To correct this and satisfy the provisions set out in

DCAN 11 – Access for People with Disabilities, a further 3 spaces would have to go.

In total, a significant loss of 15% of the parking provision in the main Cathedral car park. Ely is a premier tourist destination, particularly for the senior population. It has thriving market days and a unique mix of independent retailers. We believe this proposal will cause substantial harm to the economic vitality of our city. Together with the dedicated business parking losses and replacement of a well-used coach park with a single drop-off point and temporary remote coach park, we argue these proposals do not satisfy Strategic Objectives 1,3 and 10 of this Council's Local Plan.

Third, there are many safety issues to be addressed:

- 1. As already mentioned, the drop off area for coach parking is inadequate requiring further significant losses to car parking to make the turning arrangements work.*
- 2. The coach drop off point will not be visible from the road as the proposed entrance is far too narrow and a dangerous situation will be created by the 2nd coach having to leave and possibly reverse into the road.*
- 3. There is no safe refuge for passengers alighting from and getting on coaches.*
- 4. The proposed development is near a school entrance where there will be more congestion at peak times.*
- 5. This Authority needs to consider very carefully the fact that the Highways Authority have not approved the proposals and to conduct a risk assessment as it could be liable for a corporate manslaughter charge if it has ignored advice and there is a fatality in the car park or Barton Road as a result of these proposals.*
- 6. The access will be needed by emergency services and there could be a delay because of congestion. This is the only access to Militia Way Sheltered Housing Complex.*
- 7. The refuse lorry could be another very dangerous hazard.*
- 8. Barton Road is very likely to become a real traffic hazard because of congestion.*

These proposals fail to provide 'safe environments' and as such contravene Strategic Objective 4 of our Local Plan.

Photographic evidence has been sent to the Local Planning Authority showing how well used are the Barton Road coach bays and drop-off points in The Gallery. If coaches cannot drop off their passengers they will stop coming which will affect Ely's income.

But the biggest potential casualty here is the voice of the people being disregarded. This Authority has received over 150 letters of objection from the public regarding these proposals. There were no letters of support. From

the recent Public Exhibition, only 6% of the 117 anonymous respondents supported the principle of development.

And there is no mention whatsoever of this site being redeveloped for housing in the Local Plan.

We say this land is owned by the people who use it every day and value it as an open space and a precious resource.

Plans to build 3,000 new homes in the north of the City will bring substantial benefits to our economy far in excess of any notional benefit the new residents of these properties might offer.

But the damage these 11 proposed dwellings will do to our beautiful City, to our tourist industry, to our visitors, to our local businesses and shops cannot be undone. We urge members of this Committee to have the courage to listen to their electorate and refuse these proposals.'

At the invitation of the Chairman, Mr Brian Flynn, agent for the applicant, addressed the Committee and read from the following prepared statement:

'I work for Carter Jonas and am the agent for this planning application. We intend to respond to the main matters raised by the objectors and to highlight how those matters have been addressed within the proposed development.

The majority of the comments from residents and members of the public relate to the loss of coach and car parking from the existing car park. The strategy for coach parking is as follows: to continue to provide one short stay drop-off and pick-up point for coaches within Barton Road Car Park; the retention of the existing coach drop-off and collection points at The Gallery; to provide temporary coach parking spaces at Lancaster Way Business Park; and, in the longer term to include coach parking facilities at the new District Leisure Centre at Downham Road. These actions would ensure that coach drop-off / pick-up points and free coach parking spaces continue to be available in Ely.

Planning Committee will recall that at the meeting last month it approved an application to provide additional car parking at the adjacent Council Storage Depot for up to 23 spaces. The purpose of that application was to provide additional parking spaces in Barton Road. There would be a net loss of only 6 public car parking spaces as a result of the proposed development.

The Case Officer has assessed the planning balance between the minor loss of car parking against the benefits of providing additional housing and affordable housing in paragraphs 7.20 to 7.22 of the Committee Report and concluded that it is acceptable.

I would like to identify one point where I disagree with the Case Officer, and that is about the economic impact associated with the loss of coach and car parking. No evidence has been submitted to quantify the impact on the economy, and none of the statutory consultees raised this as an issue. If it was an issue then I would have expected the Tourism & Town

Centres Manager or business organisations to object, but they have not done so. The loss of 6 car parking spaces, and alternative arrangements for coach parking within Ely, would at worst have a negligible impact on the economy rather than a minor or moderate impact. Any negligible impact would be offset by the benefit to the economy from the additional residents that would occupy the proposed development.

In terms of comments about the adequacy of the car park to accommodate a drop-off/collection point for coaches, the Planning Committee should note the boundary of the application site and that the remainder of the car park is outside that site boundary. The rearrangement of the car park in the future and its ongoing management is a matter for the Council as landowner and as manager of the car park. Notwithstanding this, a swept path analysis of the car park has been undertaken to demonstrate that a coach can access and exit the site, and manoeuvre within it. If you have any questions about highway access then Patrick (Patrick Lanaway, Transport Consultant) can answer them.

The design and layout of the proposed development considered its relationship with Ely Cathedral, St Mary's Church and the Ely Conservation Area. A Heritage Statement and Design & Access Statement were prepared for the planning application. We note that the views across Barton Road Car Park are not identified as 'important views' in the Ely Conservation Area Appraisal. Ely Cathedral and St Mary's Church are significantly detached from the application site, and there are other buildings in the foreground of those views. The existing views of Ely Cathedral and St Mary's Church from within the car park would remain.

At this point, Mr Flynn handed over to Mr Rowan Haysom (architect), to comment on the design of the proposed development:

'This proposal has been criticised for not responding to the 20th Century context of Barton Road. We believe that this is a limited reading of the relevant surrounding context. The greater context of this site, the centre of Ely and this scheme has been developed through a considered reading of the relationship between Barton Road and the historic centre of Ely. Barton Road has a mix of Georgian, Victorian and Modern architectural styles. It feels like it is on the edge of the centre, a peripheral semi-suburban street and it lacks the coherence and consistency necessary to make it feel like a continuous part of the historic centre of the City. This proposal draws on the best examples of surrounding domestic architecture to reinforce that sense of continuity and connection to the town centre.

These are dwellings. The size of doors and windows and architectural features inform a domestic scale. At present, with the Youth Centre, the car park and playing field, the street is not an enlivened and animated place. This proposal will introduce active frontages, with planted up front gardens and beneficial surveillance which will enhance the street scene. The buildings will frame the public realm, reinforce the sense of enclosure and sense of place.

The buildings are two-and-a-half storeys facing the playing field. This is appropriate alongside the Youth Centre and facing across the field. They will introduce a sense of stature to frame and contain the public realm. This

proposal will enhance the character and appearance of the Conservation Area and will reinforce the sense of connection and continuity between Barton Road and the centre of Ely.'

Mr Flynn concluded by saying that the principle of development at the application site was acceptable, and it involved the reuse of previously developed land. The proposed planning conditions had been discussed and agreed with the Case Officer, and were all appropriate and relevant to the proposed development. The proposed development would be liable for the CIL charge and a S106 Agreement would be prepared to deal with affordable housing. He requested that planning permission be granted for the proposed development, in accordance with the recommendation of the Senior Planning Officer.

Councillor Beckett noted that Mr Flynn had raised the issue of cars and parking, including Poets House. Mr Flynn said there would be an overall loss of 6 public parking spaces. In response to a further question from Councillor Beckett about facilities for coach drivers at Lancaster Way, Mr Flynn replied that he did not have that information. The Chairman reminded the Committee that this was not a issue for Members.

At the invitation of the Chairman, Councillor Ian Lindsay, Mayor of Ely, addressed the Committee and made the following points:

- Although he was Mayor of Ely, he was here today as Chairman of the City of Ely Council and Chairman of the City Council's Planning Committee;
- The City of Ely Council had recommended refusal of the application because it would cause an unacceptable loss of coach parking spaces and parking spaces for the Poets House;
- The proposed dwellings were too tall;
- The amended plans had not addressed the City Council's concerns. At its meeting on 8th February 2016, the City's Planning Committee had concluded that the coach parking was in an awkward space and this could lead to a chaotic situation;
- The City of Ely Council had opposed the application three times and was still concerned about the arrangements for car parking. There was also concern regarding the scale and character of the proposed development and the impact it would have on the area.

At this point, the Chairman said he believed he should declare a personal interest because he worked at the Kings School, although he was not employed by them; this would not fetter his judgement.

Councillor Stubbs raised a point regarding the comments made by the LHA. The Senior Planning Officer clarified that while they had not recommended refusal, they had made it clear that if there was more than one coach at any one time, or the vehicle was over 12 metres in length, this would create difficulties.

Councillor Tom Hunt enquired whether the apartments would have a discount for first time buyers. The Senior Planning Officer replied that the legislation for starter homes had not yet been enacted and so while starter homes had been included within the definition of affordable dwellings the affordable housing to be provided could not be starter homes. A S106 Agreement was to be drawn up and this could contain a caveat for starter homes once the legislation had been enacted. Councillor Hunt again asked whether the five apartments would be to rent or buy and the Senior Planning Officer reiterated that at present, there was no provision for starter homes. Some of the apartments would be affordable housing (to be negotiated) and some would be on the open market.

Councillor Cox remarked that there seemed to be some confusion about the number of coaches that would use the car park and he asked if there was any priority regarding the order in which buses should arrive. He was advised that this was outside the control of the LPA and besides which there were other parking spaces in Ely. Following on from this, Councillor Austen asked if there were any studies about how often coaches arrived in Ely; the Senior Planning Officer said that the Tourism & Town Centres Manager had been consulted on the application, but other than that he was not aware of any studies.

At the invitation of the Chairman, Councillor Richard Hobbs addressed the Committee on a point of clarification. He said that as Chairman of the Council's Commercial Services Committee, car parking was the responsibility of his Committee. The drop-off point had been put in, because it was an ideal place for residents of Ely or the surrounding villages to park, or to be picked up from when going on organised trips.

The Chairman said Members should be clear that this application would be referred to the Secretary of State to see if he wished to call the application in; this Planning Committee was making its decision based on the merits of the application.

Councillor Beckett said that as Chairman of a local Parish Council he had overseen the sale of land and in doing so, he looked to see if the community would benefit or be blighted by that sale. He declared himself to have been surprised on this morning's site visit because he had found the view of St Mary's Church and the Cathedral to be very pleasant. He thought it would be a shame to lose the view, because it was his opinion that the proposed houses were too overpowering and imposing, and out of keeping with the character of that part of Ely.

Parking was a recurring issue and losing parking spaces would be the loss of a community asset. He had always tried to promote Ely, and there was not enough parking. With regard to affordable housing, he believed that the provision of three one bedroom dwellings was not significant and on balance he thought the detrimental impact of the scheme outweighed the public benefit.

Councillor Austen expressed surprise that the Conservation Officer's comments did not carry any weight. The senior Planning Officer assured her that they did, but planning officers had to carry out a balancing act and decide how much they agreed or disagreed with the advice provided.

Councillor Tom Hunt said that, bearing in mind the planning context, as a LPA this Council did not have a sound Local Plan and therefore decisions should be made in line with the presumption in favour of sustainable development, as we were not building enough homes. Younger people were looking to get on to the housing ladder, and as a local authority, there was a moral duty to support them. He believed that this application was good in that regard because it would provide a positive opening for local people to get on the housing ladder. Many of the proposed homes would be occupied by people from this community and he thought that public benefit would outweigh the level of harm. The housing mix was good as it included smaller apartments. Ely was a special and vibrant city with free parking and although 6 parking spaces would be lost, the scheme would bring benefits. The proposed homes were well designed and would complement the area. He therefore proposed that the Officer's recommendation for approval should be supported.

The Chairman said that although Councillor Tom Hunt had put forward a motion, he wished all Members to have an opportunity to further comment, should they wish to do so.

Councillor Beckett thought that the scheme should not go ahead. The Officer's report stated that some of the affordable housing might possibly be off-site and the main bulk of the application was for six big houses, which young people would not be able to afford. Six car parking spaces would be lost and he questioned where Poets House would be able to find extra parking. If approved, this would be a loss to the City and the market traders and it should be about what was good for the greater number.

Councillor Cox commented that it seemed to be impossible to define a particular style of housing for Barton Road, and this had been picked up in the Conservation Officer's remarks. Whilst he took on board the comments regarding the loss of parking spaces, the buildings would provide a significant number of homes. If one was driving or walking, one would only get odd glimpses of the Cathedral or St Mary's Church rather than a constant view. He believed the new housing would significantly affect the District and bring economic benefits to the city.

It was proposed by Councillor Beckett and seconded by Councillor Austen that the Officer's recommendation for approval should be rejected for the following reasons:

- It would be the loss of a public amenity;
- It would be overbearing development in the area;
- There would be an adverse impact on tourism; and
- The views of St Mary's Church and Ely Cathedral would be lost.

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

The Committee now returned to the Officer's recommendation and Councillor Stubbs seconded Councillor Tom Hunt's motion for approval as

they welcomed the mix of homes. When put to the vote, the motion was declared carried, there being 4 votes for, 2 votes against and 1 abstention. Whereupon,

It was resolved:

That approval of planning application reference 15/01417/F3M be delegated to the Planning Manager, following the completion of a S106 Agreement and subject to conditions. Subject to referral to the Secretary of State to decide whether or not to 'call in' the proposal for determination.

At this point, Councillors Rouse and Bill Hunt returned to the Chamber.

32. 16/00481/FUM – FORDHAM ABBEY FARMS, 39 NEWMARKET ROAD, FORDHAM, CB7 5LL

Rebecca Saunt, Planning Manager, presented a report (R69, previously circulated) which sought permission for the demolition of the existing disused and derelict agricultural barns and the erection of a new Sake brewery and Visitor Centre. It was noted that the applicant was also seeking permission for the change of use from agricultural barns to mixed use including B2 brewery, A3 café, D1 classroom and D1 exhibition space.

The application had been called in to Planning Committee by the Chairman, Councillor Joshua Schumann, as he believed the application potentially had large community and economic impacts and had already generated a great deal of interest, and as such should be considered by the Planning Committee.

A number of illustrations were displayed at the meeting, including a map, an aerial photograph, a layout of the site, photographs/illustrations of the barns to be demolished, a layout of the proposal, a detailed floor plan of the proposal, elevations, and 3D visuals of the proposed dwellings.

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

- Principle of development;
- Residential amenity;
- Historic environment and visual amenity;
- Highways;
- Ecology; and
- Flood risk and drainage.

Members noted that due to the unique nature of the proposal, it did not sit comfortably within a specific policy of the Local Plan. The site related well to the built framework of the settlement, was located within the grounds of Fordham Abbey and could be easily reached by road, on foot or by cycle.

There would be minimal impact on the character and appearance of the area and a minimal impact on residential amenity.

The application represented a significant investment on the Fordham Abbey estate as well as for the District of East Cambridgeshire, and would be the UK's first facility dedicated to the production of Sake; it had the potential to be a leading tourism and visitor attraction for the area.

The Council's Economic Development Team was fully supportive of the proposals and had been working with the applicant since 2014 with external partners to develop the proposals. Dojima's plans to develop the site would involve significant investment and a staff of over 100 in the next 5 years. It had been apparent from the outset that Dojima were keen to work with the local community and develop a scheme which was sensitive to its location and historic setting and Officers were confident that this would continue to be the case.

The Planning Manager stated that due to the siting of the property and its extensive grounds, the proposal would not create an adverse impact on the residential amenity of the occupiers of the nearest dwelling not owned by the applicant. With regard to the historic environment and visual amenity, the requirements of Policy ENV12 of the Local Plan would need to be taken into consideration to ensure the proposals would not have a detrimental impact on the visual, architectural or historic significance of the asset.

The proposal sought the demolition of a number of barns which were modern in construction and were of no architectural or historic significance. They would be replaced with a new building which would house the Sake brewery and Visitor Centre. This proposed building would not be visible from outside of the Fordham Abbey estate.

Any direct impact on the immediate setting of the listed building would be minimal; the brewery building would be 155 metres to the south of the original manor house and visibility between the two buildings would be minimal. It was therefore considered that, subject to appropriate conditions, the proposed development would not result in harm being caused to the significance of the historic buildings or parkland.

Turning next to highways issues, the Planning Manager stated that it was approximately a 14 minute walk from the nearest bus stop. It had been recommended by County Highways that a condition be imposed requiring the applicant to provide a pair of bus stops, as they believed the stops were necessary and could be secured via a S278 Agreement. However, the applicant would need to arrange this with the bus company, and as it was completely outside the control of the applicant and County Highways, it was not considered reasonable to condition the provision of the two bus stops.

With regard to parking provision, the applicant proposed a total of 30 car parking spaces and 40 cycle parking spaces. Members noted that the classroom and education element of the development only occupied a small section of the estate. Given the information submitted as part of the Transport Statement it was considered that the proposed car and cycle parking would be sufficient to meet the demands of the proposal.

The Committee noted that an extended Phase 1 Habitat Survey was submitted with the application and no evidence of roosting bats was identified in any of the buildings. However, it was recommended that low impact lighting be employed and that boundary hedgerows/tree lines should not be subject to lighting. The Survey also recommended that two barn owl nesting boxes be erected on trees in the wider grounds so that nesting opportunities were provided at the site.

The Planning Manager drew Members' attention to the tabled letter from the Lead Local Flood Authority which stated that it had now withdrawn its objection and supported the application. She had therefore amended her recommendation to reflect the addition of the conditions recommended by the Flood Authority and the minor changes to the approved plans in Condition 1.

At the invitation of the Chairman, Mr Yoshihide Hashimoto and Miss Kumiko Hashimoto addressed the Committee in support of the application. Mr Hashimoto said he represented the Dojima Brewery in Osaka, Japan; Sake had been brewed there for more than 600 years. He was very happy to make Fordham Abbey the home of his new Dojima Brewery and this was his first venture in the UK. He hoped to breathe new life into the beautiful Abbey and create employment. He looked forward to working with local businesses and welcoming the local community to the Brewery.

Miss Hashimoto explained that she was the Marketing Director and the eldest daughter of the family. Sake was traditional Japanese alcohol, made from rice, and its alcoholic content was higher than that of wine (16-18%). To the Japanese and others, it was a huge part of their culture, history and everyday life; the making of Sake was considered to be an art.

Her father wished to introduce Sake to this country and she thought he had been very brave to address the Committee as his English was not very good. However, he had always had a dream to make Sake in England and to teach others to make it too. Japanese whisky was now some of the best in the world and the Japanese had come to the UK to learn how to make it. Mr Hashimoto wished to do the reverse and have the world's No. 1 Sake in England, and he looked forward to working with the local community.

Councillor Stubbs congratulated Mr and Miss Hashimoto, saying she thought this to be a very brave venture. She asked how many jobs were to be created and Miss Hashimoto replied that there would be maybe 100.

Councillor Rouse said he found their culture to be admirable and asked if it was intended to train and employ local people; Miss Hashimoto said that it was.

Councillor Tom Hunt asked if they were intending to sell sushi; Miss Hashimoto said that they would see tea and cake as well as Japanese food.

The Chairman asked why Fordham, and the Abbey, had been chosen for the site of the Dojima Brewery. Miss Hashimoto explained that initially they had been looking for a much smaller piece of land, but when they thought about their future goals, they realised that they would need

somewhere bigger. It had been pure luck to find such a beautiful house and land and they wished to restore the Abbey to its former glory.

Councillor Beckett had a number of questions relating to the brewing process. He asked if there was much noise in the process, how much traffic would be generated, and whether things were in place to deal with the effluent once the Sake had been brewed. Miss Hashimoto informed Members that there would be hardly any noise and not much traffic because the company would be using bigger trucks. There would be by-products, rice and yeast, but they would be processed, so there would be no impact in respect of effluent.

At the invitation of the Chairman, Councillor Michael Allan addressed the Committee. He reminded Members that he had previously been a Ward Member for the Fordham Villages for 12 years, and had been very much involved in this venture at the beginning. He wished to congratulate the Hashimoto family because they had involved everyone from Day 1, so that all knew what would be happening. Everyone was very happy and the venture would be wonderful for Fordham, putting it on the map both nationally and internationally.

Councillor Rouse asked the Planning Manager if the Masterplan for the Fordham Abbey Estate had been future proofed as much space could be used to realise the vision, and she confirmed that she had no concerns on this score.

Councillor Beckett remarked that the traffic details seemed to be very vague and the Planning Manager replied that it was difficult to give any detail at this point because the number of visitors was not yet known, given that this was a first of its kind development. A Transport Statement had been submitted with the planning application which had looked at distilleries in Scotland as these were of a similar nature to the proposal and the LHA had raised no objections.

In proposing that the Officer's recommendation for approval be supported, Councillor Rouse said he thought the proposal was an incredible venture and massive investment, bringing life to the estate. It would regenerate the Fordham Abbey Estate and many more people would have the opportunity to visit it. This showed how people could come together to work and support a venture which would give a huge boost to the District. He was incredibly excited by the prospect of a Masterplan for the whole site; it was the vision of one family and it would bring together two very different cultures.

Councillor Tom Hunt thanked the applicant for expressing so much confidence in East Cambridgeshire. He believed that with the UK having voted to leave the European Union, the application had the potential to act as an economic catalyst for the area and could possibly attract other Japanese companies. He was extremely proud that Japan had expressed an interest in a trade deal and East Cambridgeshire was to be at the heart of it. It would be a fantastic opportunity and if apprenticeships could be included, that would be great. He duly seconded Councillor Rouse's motion for approval.

Councillor Bill Hunt concurred with Councillor Tom Hunt's comments. This scheme would retain the historic core of the estate, whilst knocking down the 'rubbish', and that could only be to the good. He commended the applicant for doing everything asked of him and said he looked forward to the other phases of the development. He concluded by saying that the harmony between the two cultures was wonderful; he hoped the application would be granted permission and he welcomed the applicant to the District.

The Chairman stated that he had called in the application to Committee, as he wished it to be given a full airing. It was the sort of application that the District would wish to welcome and he reiterated the point made by Councillor Allan that this was an exemplary example of how to engage with the community. He believed the protection and reinstatement of the estate to be integral to the application and said it would be lovely to see it thrive. Whereupon,

It was resolved unanimously:

That planning application reference 16/00481/FUM be APPROVED subject to the recommended conditions and the addition of the conditions recommended by the Lead Local Flood Authority and minor changes to the approved plans in Condition 1 to reflect this.

33. **16/00506/FUL – LODE SOCIAL CLUB, 45 LODE ROAD, LODE, CB25 9ET**

Julie Barrow, Senior Planning Officer, presented a report (R70, previously circulated) from which Members were asked to consider an application seeking consent for the change of use of Lode Social Club to a public house.

It was noted that the application had been brought to Planning Committee at the discretion of the Planning Manager. A previous application to alter and extend the premises had been determined by the Committee and the concerns raised by local residents were broadly the same as considered previously.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial photograph, and a layout of the proposal.

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

- The difference between the continued use of the premises as a Social Club and the proposal to operate under Use Class A4;
- Use Class A4 relates to drinking establishments – includes use as public house, wine bar or other drinking establishment;
- The Town and Country Planning (General Permitted Development) (England) Order 2015 permits the change of use from A4 to A3 (restaurants and cafes).

The Senior Planning Officer reiterated that the use of the premises as a social club had already been established. Information submitted with the lawful development certificate application made reference to the presence of a kitchen on the premises and that themed food nights were held as well as Christmas celebrations and private functions. It was considered that the day to day activities of the premises would be broadly the same whether the site operated as a social club or a public house.

It was noted that there were no planning restrictions on the numbers of members and there were a number of existing planning conditions relating to hours of use and noise management; these could be carried forward as well as conditions regarding the siting and use of the bin store and parking arrangements.

It was accepted that there was limited parking on site and that overspill parking was likely to occur on Lode Road. As this was already the case, if the premises were to be used as a drinking establishment, there would not be a material difference in this respect. The County Council's Transport Planning Team had requested additional information about past and future trip generation and levels of parking in the surrounding area, but the applicant had responded to say that he was unable to provide any details and that there were no local parking restrictions on the surrounding roads.

The Senior Planning Officer reminded Members that as the lawful use of the site was as a social club and this use could lawfully continue, the refusal of the application on transport and parking impacts could not be justified. On balance, it was considered that the use of the site as a drinking establishment (Use Class A4) would not have any significantly greater impact on residential amenity, transport and parking than the existing lawful use as a social club; the application was therefore recommended for approval, subject to conditions, as set out in the report.

At the invitation of the Chairman, Mr Paul Jenkins spoke in objection to the application and read from the following prepared statement:

'My comments are a brief list of the concerns previously expressed in writing to your Planning Department by the immediate neighbours and others, regarding this application for a 'Change of Use' to become a Pub.

Their concerns are that, given the proximity of this property, in an entirely residential area to its neighbours, we consider this enlarged property is totally inappropriate to become a Pub/Restaurant, as a considerably more antisocial environment will be created and imposed on adjacent residents i.e noise, traffic problems, parking problems, etc. We consider therefore that it should remain in its current status, a 'Members Only Social Club'.

However, if approval for 'Change of Use' to a pub is given, we feel that a number of conditions should be applied to ensure that the quality of life to adjacent residents is not destroyed. They are as follows;

- *The rear access road off Northfields has always been double gated, as a result of previous planning conditions. We feel therefore that it should remain as such and be under the control of the staff;*

- *One gate to be opened daily, to allow pedestrian access from Northfields. The other gate only to be opened for deliveries and disabled access, when necessary;*
- *The main entrance to this building for the general public, should be from the front and north side of the building (off Lode Road);*
- *Adequate signage at the front of the building should be clearly displayed to advise patrons that 'There is no parking at the rear of the building.' A similar notice should also be displayed on the rear gates. This will deter drivers from driving into Northfields and Millards Lane to look for parking places. This will also ensure that the area at the rear of the building and the access road is only used by staff and for occasional disabled parking;*
- *The area at the rear of the building should not be used as a smokers area, as a constant environmental nuisance will occur i.e noise and foul language;*
- *Kitchen extract equipment and ductwork should be suitably sound proofed and be filtered for aroma before the air is discharged into the atmosphere at roof level. Ductwork should preferably rise to the roof within the building structure. We feel if this work is not done it will cause a horrendous smell, especially in the summertime to the surrounding area;*
- *All of the conditions as listed by the Senior Planning Officer in Appendix 1 should be adhered to.*

Our other concerns are:

- *As previously mentioned, considerable traffic problems could occur on Lode Road, Northfields and Millards Lane. This issue requires further consideration as all are very narrow roads and in the case of Lode Road, there is constant use by large vehicles i.e tractors, buses, farm lorries etc, especially during harvest time. We fear that pavement parking will occur as well as more unsociable parking;*
- *When live or loud parking is played, windows and roof lights should be closed after 10.00pm;*
- *Detailed descriptions/plans of the smoking provisions and the rubbish bin enclosure should be provided to the Planners, for neighbours' approval;*
- *Staff should be discouraged from smoking on the south side of the building as this area is very close to the neighbouring house;*
- *If the green light is given, we hope the rest of the building work is carried out fully and stays within its plans, especially when it comes to the work to make this premises disabled friendly;*
- *Just to finish, I would like to say to the Committee that we feel it should stay as a members' club and feel this would be a better option and all our fears would be appeased.'*

At the invitation of the Chairman, Mr Richard Peters, one of the owners of the Lode Social Club, addressed the Committee and made the following points:

- It was originally intended to carry on with the premises as a social club;
- It became clear from the comments of members of the club that the premises could be opened as a pub;
- This suggestion was publicised in the village magazine and received over 4,000 responses;
- Parking would carry on as it had done since 1931. It wasn't ideal, but there were lots of possibilities;
- When events were being held, parking would be available at their farm;
- There were plans for a brand new state of the art extraction system which would take any odours upwards onto the flat roof.

Councillor Beckett asked if it would be possible to impose a condition requiring the application to come back before Members if the applicant wanted to make any further changes to change into a restaurant, as Members might have other issues they wished to look at. The Senior Planning Officer confirmed that this would be possible.

Councillor Bill Hunt said that a pub, a Post Office, a school and a shop were what made a community, and a village was understandably upset when it lost the pub. However, if this became a pub that served food then he was happy to support it and wished the applicant good luck.

Councillor Beckett agreed that villages needed these facilities and a pub would draw people into the community. If this application was granted permission, it would send a message that Lode was open for business. Whilst he had no problem with a pub serving food, the Permitted Development Rights should be restricted to ensure that the premises were not just turned into a restaurant.

The Chairman said he found this to be a frustrating case because at the Planning Committee in January 2016, Members had been assured that the premises would stay as a social club. He had raised the issue of parking at that time because as a social club, there would be less reliance on motor vehicles. However, if the premises were changed to a pub, they would be advertised further afield and could bring in more customers who would exacerbate the parking problems. Members had previously expressed concern about the expansion of the business, and he believed this was a step too far. He felt that the proposal would cause demonstrable harm.

Councillor Tom Hunt disagreed, saying that as a Committee, Members were looking at the application before them today. Lode was a lovely place, but many villages were struggling and pubs had a role to play in the community. Members were right to raise concerns but on the whole it was a

positive report and he would support the Officer's recommendation for approval.

Councillor Rouse found the Officer's report to be balanced and fair, and said that in reality, he saw no difference between a pub and a club. He had been persuaded by the applicant's comments regarding the need for the change and would therefore support the recommendation for approval.

The Chairman said he still had reservations about parking, as many people were prepared to drive miles to go to a pub, and this could exacerbate the situation. However, he commended the Senior Planning Officer for producing a very balanced report.

It was proposed by Councillor Beckett and seconded by Councillor Austen that the Officer's recommendation be amended to restrict the Permitted Development Rights, removing Use Class A3. When put to the vote, the motion was declared lost, there being 3 votes for and 5 votes against.

It was duly proposed by Councillor Bill Hunt and seconded by Councillor Tom Hunt that the Officer's recommendation for approval be supported. When put to the vote, the motion was declared carried, there being 6 votes for and 3 votes against. Whereupon,

It was resolved:

That planning application reference 16/00506/FUL be APPROVED subject to the conditions as detailed in the Officer's report.

34. **16/00669/FU3 – DOWNHAM ROAD PLAYING FIELDS, DOWNHAM ROAD, ELY, CB6 2SH**

Rebecca Saunt, Planning Manager, presented a report (R71, previously circulated) which sought permission for the erection of 10 metre high ball stopping netting on the boundary with the proposed leisure centre and existing sporting facilities.. The proposed netting would be approximately 70 metres in length and situated along the southern boundary of the rugby pitch; it would continue the line of netting approved under application 15/01083/FUL.

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

A number of illustrations were displayed at the meeting including a map of the location, an aerial photograph, and a layout of the proposal showing the extent of the proposed netting and two photographs showing examples of netting.

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

- Residential amenity;
- Visual amenity and historic environment;

- Highways; and
- Ecology.

The Planning Manager said that the netting was required to ensure the protection of customers to the leisure centre development to prevent damage or injury to vehicles and people using the car park adjacent to the existing pitches. It would help to bring forward the development of the leisure centre which had recently been approved by Planning Committee.

The proposed netting was a typical feature found at other sporting grounds and it would not lead to the loss of views or materially harm the immediate or wider setting of the Cathedral.

It was considered that the proposal would not have an adverse impact on highway safety and would not reduce or impact on the number of car parking spaces approved as part of the leisure centre development.

It was resolved unanimously:

That planning application reference 16/00669/FU3 be APPROVED subject to the conditions as detailed in the Officer's report.

35. **16/00696/FUL – 47 SPRINGHEAD LANE, ELY, CB7 4QY**

Andrew Phillips, Senior Planning Officer, presented a report (R72, previously circulated) on behalf of the Case Officer, Lesley Westcott, which sought permission for the erection of a four bed dwelling, with an integral garage, parking, turning, new vehicular access and associated works following the demolition of the existing two storey dwelling.

It was noted that the application had been called in to Planning Committee by Councillor Rouse, as he wished to give the Committee the opportunity to discuss this individual property and examine it in public.

A number of illustrations were displayed at the meeting. These included a map of the location, an aerial photograph, the elevations and floor plans of the existing dwelling, the layout of the proposed dwelling, photographs of the application site and surroundings, and the elevations and floor plans of the proposed dwelling.

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

- Principle of development;
- Impact on the character of the Conservation Area;
- Residential amenity;
- Highways;
- Ecology; and

- Rights of Way

The Senior Planning Officer reminded Members that the Local Planning Authority (LPA) was currently unable to demonstrate an adequate five year supply of land for housing and therefore the policies within the Local Plan relating to the supply of housing should be considered out of date. In the light of this, all applications for new housing should be considered in the context of the presumption in favour of sustainable development, as set out in the National Planning Policy Framework (NPPF), unless any adverse impact would significantly and demonstrably outweigh the benefits.

The site was located within the development envelope and Conservation Area of Ely and the principle of a replacement dwelling on the site had been established with the approval of planning application 15/01412/FUL on 25th April 2016. This development would bring the economic benefits of construction and additional population to support local businesses.

Although a contemporary design was considered to be acceptable, Officers felt that the current application was inappropriate in size and bulk, incorporating a double garage rather than a single. On balance it was considered that the proposal would have a detrimental impact on the character and appearance of the Conservation Area and therefore did not accord with Policies ENV1, ENV2 and ENV11 of the Local Plan.

It was noted that the proposed vehicular access would require the removal of a small section of boundary hedge. However, the Highways Engineer had raised no objections to the scheme and it was therefore considered that the proposal accorded with highways standards and Policies COM7 and COM8 of the Local Plan.

Speaking of the planning balance, the Senior Planning Officer said that although the proposal would provide a replacement dwelling and its construction would bring some short term economic benefits, it did not outweigh the detrimental impact on the character and appearance of the Conservation Area. The application was of no public benefit and was therefore recommended for refusal.

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

- Planning consent had been gained under the previous application;
- Concerns were raised regarding the mass and scale of the extension to the side of the dwelling and his clients had agreed to reduce the size of the garage. The application was approved under delegated authority;
- The application had been re-submitted, seeking an increase in the size of the garage and the store to the rear;

- The Officer said the proposal was out of keeping with the area, the issue being bulk and mass;
- He (Mr Fleet) thought this application was a more balanced design. It was well set back and only 2.2 metres wider;
- The original house was two storeys on the north west boundary – more bulky than this application;
- This proposal would no more affect the Conservation Area than the previous application;
- The existing dwelling had been demolished, but no works had yet commenced on the site.

Councillor Rouse asked if there was a planning or mathematical formula to decide whether or not an application was balanced, or was it a case of 'in the eye of the beholder.' The Senior Planning Officer replied that it was the latter; contemporary design did not have strict design rules and therefore it is in the eye of the beholder.

Councillor Tom Hunt thought that as the applicant already had planning permission for a house on the site, he should be free to design it as he wanted, unless it would have a highly significant negative impact. This was a fairly subjective matter and he said he was minded to go against the Officer's recommendation. He did not think the proposal would have a negative impact on the character of the area, it would not be detrimental to residential amenity, and the applicant had permission for a dwelling and should therefore build as he saw fit.

Councillor Bill Hunt agreed, saying his reasons were along the same lines: the proposal was not out of keeping with the area, it would preserve and enhance the street scene, and he thought it appropriate to have a double garage for a house of this size.

The Chairman also disagreed with the Officer's view that the proposal had no public benefit; the dwelling would provide more parking and there would be less parking on the road and therefore he thought that the benefits of the scheme would outweigh any harm.

Councillor Rouse reiterated his point about it being a question of balance. His view of the drawings was that they showed an acceptable, better balanced design that follows the contours of the site and there was no reason whatsoever to refuse permission just because someone did not like the look of the design – it was all very subjective.

It was duly proposed by Councillor Tom Hunt and seconded by Councillor Bill Hunt that the Officer's recommendation for refusal be rejected, and that the planning application be approved.

When put to the vote, the motion for approval was declared carried. Whereupon,

It was resolved unanimously:

That planning application reference 16/00696/FUL be APPROVED for the following reasons:

- The proposal is not out of keeping with the character of the area and it will not have a detrimental impact;
- It will not cause detrimental harm to residential amenity;
- It will preserve residential amenity;
- It will enhance the street scene; and
- It will provide additional parking for the dwelling.

It was further resolved:

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

Councillor Bill Hunt said that, judging from some of the comments made, he felt the Case Officer had been harshly treated. He wished her to be assured that this was not so; it was simply a case of Members disagreeing with her opinion.

36. **16/00726/FUL – LAND ADJACENT 59 DITTON GREEN, WOODDITTON, CB8 9SQ**

Andrew Phillips, Senior Planning Officer, presented a report (R73, previously circulated) on behalf of the Case Officer, Lesley Westcott, which sought permission for the construction of two 2 storey detached houses, incorporating accommodation in the roof, the erection of a detached single garage with each dwelling and the construction of a vehicular access for each dwelling off Ditton Green. The scheme would incorporate additional parking and turning in front of each proposed dwelling.

It was noted that this planning application had been called in to Committee by Councillor Chris Morris so that the concerns of the Woodditton Parish Council could be fully considered.

Tabled at the meeting was a paper containing comments in objection to the application, from Mr Robin Sharp, Vice Chairman of Woodditton Parish Council.

A number of illustrations were displayed at the meeting, including a map, an aerial photograph, photographs of the site and neighbouring dwellings, the proposed layout, development, and street scene, and floor plans of the proposed dwellings.

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

- Principle of development;

- Open space;
- Impact on the character of the area;
- Residential amenity;
- Highways;
- Ecology; and
- Surface water drainage.

The Senior Planning Officer reiterated that the Local Planning Authority (LPA) was currently unable to demonstrate an adequate five year supply of land for housing and therefore the policies within the Local Plan relating to the supply of housing should be considered out of date. In the light of this, all applications for new housing should be considered in the context of the presumption in favour of sustainable development, as set out in the National Planning Policy Framework (NPPF), unless any adverse impact would significantly and demonstrably outweigh the benefits.

The site was located adjacent to the development boundary of Woodditton, which was considered to be a sustainable location for this scale of development. It was considered that the erection of the two proposed dwellings was acceptable, provided there was no significant adverse effect on the character and appearance of the area and that all other material planning considerations were satisfied.

Members should note that although the site had been used for fêtes and firework displays, it did not have public access and was not a formally allocated public open space. In view of this, it was unlikely to be accepted as Local Green Space.

It was further noted that there had been three previous planning applications relating to the application site. Two had been dismissed at appeal, one had been refused and there had been changes to policy since those applications and appeals. It was considered that the proposed low density development would not cause demonstrable harm and would be in keeping with the character of the area. Given the size of the plots and the dwellings, through views of the landscape beyond would be maintained following development of the site.

With regard to the impact of the proposal on the character of the area, it was considered that it would not be detrimental. The design, scale, appearance and orientation of the scheme were considered to be in keeping with the character and appearance of the area and the village of Woodditton. The majority of the existing low front boundary wall would be retained, along with an existing tree at the front and the trees to the rear of the site. It was recommended that conditions be attached to any approval to help ensure the development was integrated in the street scene and landscape.

Speaking of residential amenity, the Senior Planning Officer said that it was considered that there would be an acceptable relationship between the proposed development and the neighbouring residential dwellings. To

protect residential amenity a standard condition would be attached to any approval requiring side windows to be obscure glazed.

The distances between the proposed and neighbouring dwelling were in accord with the standards set out in the Design Supplementary Planning Document (SPD), and would not cause issues of inappropriate overlooking, loss of privacy and overbearing impact.

The Committee noted that Highways had raised no objections to the development. The layout scheme accorded with highways standards and Policies COM7 and COM8 of the Local Plan.

In terms of ecology, it was unlikely that the proposal would have an impact on protected species. However, a standard biodiversity enhancement condition would be attached to any approval.

To ensure that there was adequate surface drainage, a standard surface water drainage condition would be attached to any approval. It was considered that subject to an appropriate surface water drainage scheme, the proposed development would accord with Policy ENV8 of the Local Plan.

At the invitation of the Chairman, Mr Chris Winch addressed the Committee in objection to the application and read from the following prepared statement:

'This development is outside the village envelope as adopted less than 18 months ago. We know there is pressure to build houses and there is talk of it not being up to date as it doesn't have a robust 5 year plan for more houses.

But the envelope was extended at the other end of Ditton Green to allow development behind existing properties. This site was specifically excluded.

Presumption in favour states that any development outside the Plan must be for the benefit of the village, be community led or be of local economic benefit. It is none of these, in fact it is to the detriment of the village. In the Planning Officer's comments she states the application is acceptable 'provided there is no adverse effect on the character and appearance of the area.'

Obliterating the only open space in the village and obscuring the view of mature trees and open countryside can do nothing but harm the area as proved by three failed applications and appeals. Letting the villagers peer between the buildings as is suggested is just not good enough.

It is of no local benefit, as no-one growing up in the village could possibly afford to buy these properties so they will just attract commuters for Cambridge or London. There are no local businesses that will benefit and it is not even a local business doing the application. Even the Planning Officer claims a short term economic benefit (Note 7.9) and two £500,000 houses are not going to help local housing pressure. Aside from this, the properties are far higher than the adjacent buildings and will drastically change the character and appearance of the area.

As to the wholly inadequate ecology report (supplied by the applicant, not an outside source) (Note 7.6) he first denied there were ponds in the area and now seems to think that the chickens eat any Great Crested Newts that would use the site. There is confirmed presence of the newts in two of these ponds – confirmed by a Professor of Zoology at Cambridge University.

The site has a large number of suitable refuges and habitats for a wide range of amphibians and reptiles (muck heaps, piles of wood, undergrowth and damp areas) and very few chickens. They don't eat the frogs and toads so it is unlikely they'll pick on the newts.

The Parish Council asked for an opinion on the site from an Environmental Consultant and his summary was submitted to the Planning Officer. Few of the recommendations have been considered. The main points are:

- Documents submitted do not constitute a Phase 1 Ecology Survey as requested by the LPA;*
- Considering the habitats on the site the Government's guidelines would insist on a full Crested Newt survey;*
- There are bats on the site and suitable roosting, so a survey will be needed to ascertain exactly where they roost. The same with Tawny and Little Owls. (The applicant has denied they exist – they roost in the trees at the back and sometimes can be heard in the front one);*
- The parking requested by the Highways is a sealed surface and will adversely affect the roots of the tree through compaction, loss of water and gaseous exchange. The applicant has refused to supply a plan for this tree. He knows how difficult it will be to comply with all the Senior Tree Officer's requests including no lopping or pruning. She also insists this plan be submitted before planning is agreed;*
- Any foundations and trenches will have to be dug through the root protection area. It is impractical for these to be dug by hand avoiding any root that is thicker than one's finger. And it is also impossible to construct the front wall of the building without severely pruning back the tree, as you will have noted on your site meeting;*
- There is case law that shows that the LPA must consider all impacts on flora and fauna prior to granting permission. This means all surveys must be completed and submitted before granting permission;*
- There is a nursery school around the corner and in the mornings of term time, it's chaos with parents dropping off children on what is already a dangerous bend. Visitors to the properties parking on the road (and they will) are only going to add to the danger for these children and mothers. This seems to have been ignored. The builders vans will cause enough problems as it is;*
- If the application is approved and then subsequent surveys and tree assessments prove that the building of the houses is too difficult in its present form, the applicant or the new developer to whom it will be*

sold will only have to come back again with a new plan (and one possibly less acceptable to the Planning Officer). This will only be wasting everyone's time and money – and risking the Planning Authority being held liable for granting permission for an impossible planning application in the first place.

I think the points raised here should be enough for this application to be turned down for its drastic impact on the village, or at the very least deferred until the applicant can supply verified surveys and tree plans, not just guesswork and wishful thinking.

The Parish Council haven't come to talk to you as they think they have no influence and it would be a waste of time voicing their objections.

I have more faith. Thanks for your time.'

In response to a query from Councillor Rouse, Mr Winch explained that the application site was privately owned and the owner rented out the land. She allowed the community to use it for firework displays and fêtes, but she had died at Christmas.

Councillor Tom Hunt said he felt it would be a shame for the land to be lost to this very small community because they obviously felt a sense of attachment. He believed that losing it would alter the character of the community and Ditton Green. A key issue was the Parish Council's opposition to the application and he always listened to the views of the local community. In view of this, he said he was minded to go against the Officer's recommendation; once the land was gone, it would be lost forever and this would alter, in a negative way, the character of the community.

The Chairman said he concurred with Councillor Hunt, adding that it was a difficult decision. Here was a picturesque location, but it should be remembered that there was no public right of way and therefore the community had no legal standing to use the land.

Councillor Beckett noted that while the Parish Council had objected to this site it had extended the development envelope to include one at the other end of the village. The LPA was unable to demonstrate a 5 year supply of housing land and the proposed site was not a no go area. It was a picturesque area, but they were talking about views.

The Chairman reminded Members that with the Authority being unable to display a 5 year supply of land for housing, the application should be approved unless it could be demonstrated that it would cause substantial harm, and they would do well to heed this.

Councillor Bill Hunt cautioned the Committee to be extraordinarily careful in reaching a decision, as here was land in the centre of the village and it was a particularly beautiful spot.

It was proposed by Councillor Tom Hunt and seconded by Councillor Austen that the Officer's recommendation for approval be rejected and the application be refused. Councillor Hunt said this was a very small community and the view was integral to the settlement.

When put to the vote, the motion was declared carried, there being 6 votes for, 1 vote against and 2 abstentions. Whereupon,

It was resolved:

That planning application reference 16/00726/FUL be REFUSED for the following reasons:

- It would create significant harm to the character and setting of Ditton Green; and
- There is a significant level of opposition to the application.

37. **PLANNING PERFORMANCE REPORT – JUNE 2016**

Rebecca Saunt, Planning Manager, presented a report (R74, previously circulated) which summarised the planning performance figures for June 2016.

Members were asked to note that target figures had been updated and increased in line with the Service Plan.

The target for minor applications had not been achieved, but this was due to the teams picking up the last remaining cases of an Officer who had recently left the Authority; all other applications were within target.

With regard to staffing matters Members noted that a full time Enforcement Officer had been recruited, and an agency worker would be joining the department for 3 months.

The Planning Manager informed the Committee that she had been working on reviewing the standard planning conditions. They had now been updated and the members of the Planning Committee would each be given a copy at the conclusion of the meeting. The conditions would be circulated in due course to all the other Members of Council, and also sent out to the Parish Councils once formally uploaded into Uniform by IT.

It was resolved:

That the Planning Performance Report for June 2016 be noted.

The meeting closed at 5.02pm.