



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, 4th May 2016 at 2.00pm

P R E S E N T

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

OFFICERS

Barbara Greengrass – Senior Planning Officer
Oli Haydon – Planning Officer
Ruth Lea – Senior Lawyer
Janis Murfet – Democratic Services Officer
Jon Pavey-Smith - Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Allen Alderson
Councillor Mark Hugo
21 members of the public attended the meeting.

105. **APOLOGIES AND SUBSTITUTIONS**

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

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

106. **DECLARATIONS OF INTEREST**

Councillor Austen declared a personal interest in Agenda Item No. 5 (15/01325/FUM, Land to Rear of 1 – 7 Sutton Road, Witchford), as her daughter lives in Sutton Road.

Councillor Beckett said that in the interest of probity, he wished it to be known that he knows the applicant in respect of Agenda Item No. 8

(16/00099/FUL, Land Adjacent Shamara, Northfield Road, Soham); there was no close association and he would not allow this to cloud his judgement.

107. **MINUTES**

It was resolved:

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

108. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that this was to be Jon Pavey-Smith's last attendance at Planning Committee, as he would shortly be leaving the Authority.

On behalf of the Committee, he wished Mr Pavey-Smith every success for the future.

Councillor Hitchin joined the meeting at 2.03pm.

109. **15/01325/FUM – LAND TO REAR OF 1 – 7 SUTTON ROAD, WITCHFORD**

Jon Pavey-Smith, Planning Officer, presented a report (Q255), previously circulated) which sought permission for the construction of 14 affordable dwellings situated within a cul-de-sac.

On a point of housekeeping, Members were informed that Condition 14 would be amended to read that details of the drainage would be submitted prior to the commencement of development and details for the long term maintenance were to be submitted to the LPA prior to the occupation of the scheme.

It was noted that the access to the cul-de-sac would be from Sutton Road along the existing agricultural access track used as a public byway. The existing road would be widened and constructed to an adoptable standard to enable access to the site, alongside associated external works. There would also be a footpath connecting the development to Sutton Road.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, a plan of the proposed layout, indicatives relating to residential and visual amenity and some photographs regarding the street scene.

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

- Principle of development;
- Visual amenity;

- Residential amenity;
- Access and highway safety;
- Flood risk and drainage;
- School capacity;
- Historic environment; and
- Ecology.

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

Members were reminded that Policy HOU4 of the Local Plan permitted schemes on sites outside settlement boundaries provided certain criteria were satisfied; these were set out in paragraph 7.3 of the Officer's report. It was noted that there were currently 26 applicants on the East Cambridgeshire housing register who had a connection to Witchford and a preference to live there. The Field End site in Witchford already had planning consent for 38 affordable housing units, but the scheme had no local connection linked to its affordable housing and was currently only at outline stage.

In terms of visual amenity, there were other properties within Witchford which projected to the south of the main street, and it was not considered that this proposal would change the overall character and appearance of this area.

Turning to residential amenity, it was noted that the applicant had made some amendments to the layout of the proposal in response to comments received from the occupiers of the properties on Sutton Road. Whilst there would be some impact on No.1 in terms of loss of outlook, the loss of a view did not constitute a material planning consideration, and would not therefore justify refusal of the application. On balance, it was considered that the proposal adequately addressed residential amenity and was therefore in accord with Policy ENV2 of the Local Plan.

Initially the Highways Authority had objected to the scheme on the grounds that there was insufficient information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety. However, following the receipt of a more detailed road plan showing the width of the road, the width of the footpath and the length of the road to be adopted, the Highways Authority had withdrawn its objections, subject to planning conditions.

The Planning Officer stated that the application site was located within Flood Zone 1 and was therefore at low risk of flooding. There had been initial objections from the Lead Local Flood Authority, but following a meeting with

the Lead Local Flood Authority the applicant had provided updated information and the Lead Local Flood Authority was now satisfied with the proposed surface water drainage system.

The Committee was advised of an error in the Planning Officer's report; it stated that the location was south of Newmarket, but this was not the case.

In terms of ecology, there were no significant landscape features of habitat and it was unlikely that development of the site would have a detrimental impact on the biodiversity of the area. However, it was considered prudent to add a condition to secure biodiversity improvements.

Members next viewed a slide which set out the planning balance, the benefits of the proposal being weighed against the adverse effects in terms of significant weight versus little weight. It was concluded that the adverse effects would not outweigh the benefits and therefore the application was recommended for approval.

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

- A solid double height brick gable end running at least three quarters along his southern boundary would be overshadowing and overbearing with a loss of outlook to the detriment of his residential amenity;
- It could be argued from the map that all the houses along Sutton Road had similar length gardens, so why was it acceptable that No.1 Sutton Road should be treated differently?
- There would be an adverse impact due to increased levels of noise and light pollution from new street lighting;
- There continued to be ongoing speeding issues around the village and to introduce additional traffic entering and leaving New Road would only compound the problem;
- A potentially serious collision was a real risk due to the physical layout and poor visibility splays. Why had something as important as visibility been reduced to a condition? Surely it should have been shown to be adequate as part of the application before approval;
- The proposed construction type was not in keeping with the character of the existing properties and there was a real risk of damage to the foundations of the cottage on the eastern boundary of New Road;
- The proposal would encroach on private land;
- There were concerns regarding the drainage data provided by the applicant. There was also no clear indication of who would maintain the drainage infrastructure, as this would not be an adopted Anglian Water SuDS drainage system;

- The Parish Council meeting in November 2015 had indicated that the local Primary school was already full, so how could it cater for even more families?
- There was no guarantee that the Gladman development would come forward;
- There was no back-fill to any of the houses on the south side of Main Street/Sutton Road leading out of the village from West Fen Farm. This proposed development would change the layout of the village for ever;
- The application had been repeatedly refused permission by Witchford Parish Council, objected to by the Ward District Councillors, and the majority of the residents along Sutton Road and Main Street who were directly affected by the proposed scheme;
- Affordable homes were needed in Witchford, but they should not be at any cost. The NHBC asserted that mixed tenures, including market value, affordable ownership and rentals were the vision of successful 21st century housing schemes, so this should not be a “first past the post” application. Starter homes should not come into the mix.

In response to a question from Councillor Hunt, Mr Grace confirmed that his garden was south facing and currently got sun for most of the day. However, if another house was built on his southern boundary, it would cast a shadow for most of the day.

At the invitation of the Chairman, Mr Lee, applicant, addressed the Committee saying he wished to make the following points in the absence of his agent, Mr Kratz:

- This was his fourth project of this kind;
- All the dwellings would be affordable – none would be private;
- He would carry on with this sort of project, to build affordable homes;
- The project was viable;
- The Cambridgeshire Housing Association was offering to take this Witchford site as soon as possible. The dwellings would then be offered to Witchford people and those with a connection to Witchford;
- If Members had any specific questions, Allen Norman was available to answer them.

At the invitation of the Chairman, Councillor Mark Hugo, a Ward Member for Haddenham, addressed the Committee in opposition to the application and made the following comments:

- He was speaking on behalf of the other Ward Members for Haddenham and they all recommended refusal;

- The proposal failed to comply with Policy ENV2 of the Local Plan and the Design Guide. The positioning of the proposal would lead to a cramped, back land development, which would upset the existing settlement pattern;
- There would be noise and disturbance and a significant impact on residential amenity and the changes to the layout were just tweaking;
- The scheme would have the most impact on No.1 Sutton Road;
- The Parish Council objected to the development as a whole because it did not comply with Section 55 of the National Planning Policy Framework (NPPF);
- The issue of flood risk had not been satisfactorily dealt with;
- In terms of need, the Field End development would happen and provide enough affordable dwellings for the current need;
- Community Land Trusts (CLT) were supported by the Council and this would be the chosen method to deliver more affordable housing;
- The application site was not a CLT site and there had been a huge number of objections to it;
- This application should be refused and the CLT supported.

Councillor Beckett sought clarification that the affordable housing in the Field End development was for anyone in East Cambridgeshire. Officers agreed that there was no specific local need in the S106.

Councillor Hunt said that during the site visit, he had noticed a substantial open ditch. He understood that part of it was to have a culvert and he asked how the remainder would be dealt with. The Planning Officer replied that it would be retained as an open ditch.

Councillor Bovingdon asked how the conditions regarding affordable housing would be proposed and was informed that they would be addressed by means of the S106 Agreement. He then asked, if, in the event of the application being approved, a condition could be imposed so that the Housing Association had to offer the housing to local people and was advised that it could be so, as part of the S106.

In response to a further question from Councillor Bovingdon, the Planning Officer stated that the current affordable housing need in Witchford was for 26 dwellings. This application would provide 14, and the Field End development would be available to anybody.

Councillor Austen queried the definition of local people and was advised that they had to have a local connection, such as family or employment.

Councillor Hunt said he believed in devolution and localism. The three Ward Members and the Parish Council all opposed the application, and he was very impressed with Councillor Hugo's thorough comments. He did not

believe the scheme would enhance the community as it was cramped and backland development and he questioned why the houses facing Common Road were so near Sutton Road. A gable end at the end of No.1 Sutton Road's garden would spoil their enjoyment of the garden. The development would have no pavements, the roads would not be adopted and residents would have to drag their wheelie bins off site for the refuse to be collected. The proposal would not enhance local amenity and the local schools were already full. With two parking spaces per house, vehicles would park in the High Street and reduce visibility. However, his major concern was the ditch along Common Road. He believed the disadvantages of the scheme outweighed the benefits, and he could not therefore support the application.

Councillor Rouse disagreed, saying there was a pressing need for affordable homes. Witchford was a very linear village, so the development would not be close to the centre of the village, but the village was sustainable. He would still want CLT's etc, delivering affordable housing, but any manner of affordable housing should be encouraged and he would support the Officer's recommendation.

Councillor Beckett thought rural exception sites were always a contentious issue and were quite often a long way from the village centre but they supplied a need. The applicant had delivered schemes in the past and this sort of application was needed as well as CLT's to meet the needs of Witchford. Robust conditions would be required in respect of drainage. He believed there was adequate vision both ways from the access and we cannot stop cars parking on the highway. He was happy to support the application.

Councillor Bovingdon believed there were strong arguments both for and against the proposal and while CLT's were the preferred route there was no guarantee this would be delivered and was in favour of providing housing. He was concerned about the loss of light and amenity to No.1 Sutton Road and felt that if the application was approved, plots 1 and 2 should be redesigned and moved further away.

Councillor Chaplin concurred, saying that such sites needed to be both attractive and welcome, and putting this one on the boundary would not do this. Mr Grace had a right to light and this development was not welcome; the developer should be making the scheme welcome to the village. It was neither safe nor desirable to have an open ditch in front of houses, and the site deserved a better design.

At this point the Chairman reminded Members that the application could not be altered; the Committee was required to assess it as it was before them today.

Councillor Cox declared himself to have been influenced by Councillor Hunt's reference to refuse collections and he asked what would be necessary to ensure that the 14 households would not have to drag their bins out to a collection point. The Chairman referred him to the response from Waste Strategy (ECDC) on page 4 of the report, which stated "*... it will be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day.*" Councillor Cox asked if all

roads could be adopted and he was advised that this is an unreasonable request by Officers.

It was duly proposed by Councillor Hunt and seconded by Councillor Austen that the Officer's recommendation for approval be rejected and that planning permission be refused.

When put to the vote, the motion was declared carried, there being 7 votes for, 2 against and 1 abstention. Whereupon,

It was resolved:

That planning application reference 15/01325/FUM be REFUSED for the following reasons:

- It is a cramped form of development;
- It is backland development;
- It will have a severe effect on the residential amenity of the neighbours;
- The site is located too far from the centre of Witchford;
- Insufficient allowance has been made for refuse collections;
- There are concerns regarding the open ditch; and
- Members believe that it will not enhance the local community.

110. **15/01477/FUL – ROSE BARN, ELY ROAD, SUTTON**

Planning application reference 15/01477/FUL was WITHDRAWN.

111. **15/01558/OUT – NORTH VIEW HOUSE, 16 CHAPEL LANE, REACH**

Barbara Greengrass, Senior Planning Officer, presented a report (Q257, previously circulated), which sought outline planning permission for the erection of two dwellings with garages, access and parking. Access, layout and scale were to be considered at this outline stage.

The application was called in to Planning Committee by Councillor Allen Alderson.

On a point of housekeeping, it was noted that a further document had been received from Dr Steve Boreham entitled "The Case for Recognising and Preserving The Hythe, Reach, Cambridgeshire". It had been forwarded to the Planning Committee Members in advance of the meeting and also sent to the County Council Archaeology department. The latter had not changed its response.

The application was originally submitted for the erection of three dwellings, but Officers expressed concerns that this would amount to overdevelopment of the site. The plans were subsequently amended to provide for two dwellings with a maximum height of 6.5 metres and a garage height of 6 metres with a rear projection to a height of 4.5 metres.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, a plan of the proposed layout, a map of the Conservation Area showing the public footpath and Byway, and some photographs of the street scene.

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

- Principle of development;
- Impact upon the character of the landscape and settlement;
- Impact on the historic environment, including archaeology;
- Highway safety;
- Drainage; and
- Residential amenity.

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

However, the site was subject to a Section 52 agreement, which was attached to the host dwelling in 1989, and permitted development rights within the garden were withdrawn. The clause stated "*That the said land shall be used as a single private dwelling house and garage with private gardens only and for no other purpose*".

Members noted that if the development went ahead, this covenant would need to be varied or removed and the applicant was happy to do this. Weight should also be given to the fact that planning policies had changed since the permission was granted in 1989. Subject to the completion of a S106 legal agreement to remove or vary the clause, there was no objection to the principle of this development.

In terms of impact upon the character of the landscape and settlement, it was considered that the level of harm would not significantly and demonstrably outweigh the benefit of two new dwellings. The proposal had spacious plots and the building footprints did not occupy more than a third of the plot size, as specified in the SPD design Guide. The dwellings would be in keeping with the existing character and pattern of development in the vicinity. Whilst there would be limited views from Chapel Lane, the footpath and the Conservation Area, there would be unrestricted views from the north and this had been raised as a concern by residents. It was considered that additional planting could be incorporated along this boundary to enhance biodiversity and soften the views from the public footpath and the fen beyond.

Speaking of the impact on the Conservation Area, the Senior Planning Officer said it was considered that the limited views would protect the

Conservation Area from significant harm, and the character and appearance of the street scene and the area could be preserved. It was also accepted that there would be no significant adverse impact on the Listed Manor House, and the Conservation Officer had confirmed this in her comments.

It was noted that local residents had made many comments in connection with archaeology. Cambridgeshire County Council Archaeology had also commented that the site was of high archaeological potential but did not recommend that permission should be withheld to allow site investigation work to take place. Instead they were satisfied that planning permission could be granted, subject to a condition.

The County Highway Authority had not objected to the proposal as there was sufficient provision for on-site parking and the access was adequate. The scheme therefore complied with Policies COM 7 and 8 of the Local Plan.

The Committee noted that a number of concerns had been raised by local residents in connection with foul and surface water drainage. Of particular concern was the capacity of the local foul water sewage network as there had been problems with blockages in the past. Anglian Water had been consulted and confirmed that there was adequate capacity in the network, but recommended that a condition be attached to any permission granted requiring the approval of surface water drainage methods.

Residential amenity was not an issue as it was considered that there would be sufficient amenity space for the new properties and there would be no loss of amenity to adjoining residents.

At the invitation of the Chairman, Mr Robert Wood spoke in opposition to the application and made the following remarks:

- The site abuts the Conservation Area and National Trust land. A public footpath runs along the western boundary and the site is extremely prominent;
- The Conservation Officer does not support the scheme as it will be difficult to assess the impact without specific design details;
- How can the impact of the proposal be assessed without drawings ? There should be a better indication of what the houses will look like;
- The private access in Chapel lane is very narrow and there is a lack of vehicle passing places;
- Notice was served on the County Council as part of the application, but don't believe to be County Council land;
- The S52 agreement was put in place to retain the site as garden land. It was never intended to be used for residential purposes, and nothing has changed in the last 27 years;
- The Hythe is the fen end of the Devil's Dyke and an important archaeological site, being the heart of the Medieval village;

- It is a pivotal East Anglian site with evidence of Roman, Saxon and Medieval activity;
- An archaeological investigation should be carried out prior to granting planning permission;
- Planning permission should not be granted as the development is not appropriate for the site;
- The planning balance should be considered, the impact of the proposal assessed and the application should be refused.

At the invitation of the Chairman, Mrs Claire Halpin, applicant, addressed the Committee in support of her application and made the following comments:

- There was a need for new housing and without it, populations would decline;
- Policy was in favour of creating sustainable, inclusive and mixed communities;
- These houses would be occupied by two new families who would bring support to the village facilities;
- The Local Plan spoke of preventing sprawl, and this application was within the development envelope;
- The S52 clause applied in 1989 permitted a single dwelling only. Policies and opinions had changed since then and the clause had already been varied once before;
- The village envelope had been carefully considered and the land was not in the Conservation Area;
- Modern development had already taken place;
- Much had been made of the Port of Reach, but there was a sewage station on the site;
- If permission was granted, an archaeological condition could be attached;
- Drainage problems, including inadequate covers and poor connections had been raised, yet Anglian Water said there was capacity;
- No traffic issues had been raised by the Highway Officer;
- The proposal had been amended to reduce the number and height of the dwellings;
- Leaflets in opposition to the scheme had been distributed in the pub and by drop;

- The opposition to the scheme had been distorted.

At the invitation of the Chairman, Councillor Allen Alderson, Ward Member for The Swaffhams, addressed the Committee and made the following points:

- The pumping station was an eyesore and going to be removed;
- Mrs Halpin's remarks about orchestrated opposition being centred on the pub were incorrect;
- About 50 people in the village were opposed to the scheme;
- Although the S52 clause could be varied, it did not alter the fact that it was there, and he believed that it had been attached in 1989 because of the nature of the area;
- Reach had Roman and Saxon history. It had been served by a large Roman port and there was much nationwide interest in this area, which should be investigated;
- Dr Boreham's report stated that The Hythe was "*in itself a piece of standing archaeology worthy of protection ... The fact that the site itself likely comprises Medieval, Saxon and Roman remains, and protects a peat sequence that may have accumulated in the Iron Age, Bronze Age or even Neolithic makes it potentially a pivotal and important East Anglian site*".
- Particular care should be taken with moated sites and landscape work near the village needed care;
- As Members could see, people felt very strongly about the application;
- A report had been requested by Cambridge Archaeology, and Dr Boreham had been informed that there would be an intervention to suspend the case. However, there appeared to have been a change of mind and this had not happened;
- This was a difficult area because the applicant had been working with the various departments but they owed it to the people of the UK to have a proper archaeological investigation.

Speaking of the S52 agreement, the Senior Lawyer reminded the Committee that this was a precursor and predecessor of the S106. It was an obligation that the Planning Authority could impose on a landowner to make a planning application acceptable. This particular agreement had been in place since 1989, and there had been significant changes in policy since then. The Local Planning Authority (LPA) could review the agreement and decide whether or not it should be maintained, and the landowner could apply to have the agreement varied or overturned. However, this was not something that could be addressed today in policy terms.

Councillor Rouse said he had real concerns because this was an area of great historic sensitivity. Whilst Members had been told the S52 could be varied, he did not think that much had changed in the intervening years. As

well as the visual and historic importance, it was a very important area for walkers, wildlife and boats and it was a very sensitive edge to the settlement.

He thanked the Senior Planning Officer for her report; she had worked very hard to produce it, but he felt there were too many uncertainties. He proposed that her recommendation for approval be rejected and that the application should be refused.

Councillor Hunt seconded the motion, saying that having visited the area, it was very special and needed to be seen to be appreciated. The damage caused in the past did not give the Authority licence to continue that damage. It was our duty to preserve and hand on an area with such a high archaeological potential and the proposal would impact on the character of the village. Having listened to the local Member and noted that half of the population of the village had attended a meeting, he believed that granting permission would be vandalism.

Councillor Bovington felt this to be a difficult case. There had been much talk of archaeology, and if the application was approved, there would be archaeological investigations. However, he thought that on balance there was so much against the case for approval that he was erring on the side of not supporting the Officer's recommendation; all in all, it was a very fine line.

The Chairman agreed, saying he believed the proposal would have a huge visual impact on amenity. Anyone visiting could appreciate the nature of the area, and with the ground seeming to rise, the impact would be higher.

At this point, the Senior Lawyer interjected to caution Members that they should be fully satisfied that the proposal would cause significant and demonstrable harm, particularly as an archaeological condition had been recommended, and in view of the Council's current position regarding the supply of land for housing.

Councillor Beckett thought that first impressions counted, and he did not think that the site was a good place to build on. The access was narrow and the waste bins would have to be carted a long distance to the highway. While the design of the dwellings were okay, he was not sure this site should be built on. Overall, this smacked of backland development.

From an historical viewpoint, Councillor Hitchin informed Members that Reach was one in a medieval network of fairs, with Stourbridge in Cambridge being, at one time, the largest fair in Europe running down the waterways from Reach.

The Committee returned to the motion for rejection of the Officer's recommendation for approval, and when put to the vote, the motion was declared carried unanimously.

It was resolved:

That planning application reference 15/01558/OUT be REFUSED for the following reasons:

- It will cause damage to visual amenity;

- Overdevelopment of the site;
- It will cause damage to the setting; and
- Members believe it would cause demonstrable harm and impact on the open countryside.

It was noted that the S52 agreement would be retained.

There was a comfort break from 3.35pm to 3.43pm

112. **16/00099/FUL – LAND ADJACENT SHAMARA, NORTHFIELD ROAD, SOHAM**

Barbara Greengrass, Senior Planning Officer, presented a report (Q258, previously circulated) which sought consent for the construction of a four bedroom two storey farmhouse in order to fulfil the need for a rural worker to live permanently at this site in the countryside. The proposed dwelling would be occupied by the applicant and his family to allow them to live adjacent to their farming operation at Northfield farm. It would be in addition to an existing farm worker's bungalow already on site.

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

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

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

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

The Senior Planning Officer stated that the application site was located in the countryside, well outside the development boundary of Soham, where development was strictly controlled. Development of the site would therefore conflict with Policy GROWTH 2 of the Local Plan.

The Council could not demonstrate a five year supply of housing land and so this policy could not be considered up to date. In this situation, the presumption in favour of sustainable development as set out in the NPPF meant that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

However, proposals for agricultural workers dwellings were catered for within Policy HOU 5 of the Local Plan. Members noted that there had to

be an essential need for an additional full time worker to live on the site at most times of the day and night. Paragraph 7.3 of the Officer's report set out the criteria to meet the test and also provided a summary of the agricultural appraisal prepared in support of the application by Peter Chillingworth, a Rural Planning Consultant.

Having reviewed the evidence provided, Officers considered that the existing agricultural dwelling on the site of Northfield Farm was sufficient for the provision of accommodation for an agricultural worker. It was not essential for an additional person to live on site to deal with emergencies as any essential needs could be adequately met by an occupier of the existing dwelling.

In connection with visual impact, Policy HOU 5 made it clear that agricultural dwellings should be no larger than that required to meet the functional needs of the enterprise, and the income from the business must be able to sustain the size of the dwelling. It was considered that the proposed dwelling was excessive in size and scale and would cause significant and demonstrable harm to the intrinsic character of the countryside.

Speaking of residential amenity, the Senior Planning Officer said that there would be adequate amenity space for the proposed dwelling; the loss of some amenity caused to the occupiers of the existing bungalow would not warrant a refusal of planning permission.

In terms of highway safety, the Highways Officer had initially objected to the scheme on the grounds that the access was not wide enough to support the development and the outlined site did not extend to the public highway. However, a revised access arrangement of 6 metres width for the first 10 metres was submitted, and the Highway Authority objection was removed.

In summary, the Senior Planning Officer said that not only was the proposal contrary to Policy HOU 5, but it also conflicted with the provisions of Policies ENV1 and ENV2 of the Local Plan and was therefore recommended for refusal.

At the invitation of the Chairman, Mr Peter Chillingworth, Rural Planning Consultant, addressed the Committee and made the following points:

- He was a Fellow of the Royal Institute of Chartered Surveyors and provided rural planning advice. He had had involvement in 6 ECDC applications;
- He was speaking in support of the proposal;
- He had first visited the business in 2007, and since then it had expanded to 26,000 acres of owned, rented and family land;
- The contractual business was run from Northfield Farm and had become the largest beet grower in the country. There were substantial

cold storage facilities worth £750k, and a haulage business with 4 lorries;

- During harvesting, the heating and ventilation for the store required constant supervision and manual adjustment. This process needed essential care, often at short notice and during antisocial hours;
- The farm mechanic lived in the existing bungalow. Simon Smith currently lived in Exning but he now needed to live on the farm because of the night work rota and providing cover for sickness and holidays;
- He had assessed the proposal against Policy HOU 5 and believed there was a functional need for two workers in order to manage the cold store and the reservoirs;
- This was a suitable enterprise. The farmhouse would have four bedrooms which were required and an office, so the business could be run from there. There would also be washing and toilet facilities;
- The Council considered that it was not necessary to employ a consultant, but he disagreed with this view;

Andrew Fleet addressed the Committee and stated:

- There were similar large farm buildings nearby which would form a backdrop, and the dwelling would be screened by the alignment of the road;
- There were dwellings adjacent to the site of a similar size and scale.

Councillor Rouse said it seemed to him that the business had changed a lot over the years and it was a family concern that was continuing to develop; the proposed dwelling was needed for the family.

The Chairman commented that some current policies in respect of agricultural workers seemed to fall flat on their face. It was unfortunate that the Case Officer had to look at the policies as they stood, even though they were no longer fit for purpose. This could be looked at as several businesses, comprising agriculture, haulage and contracting. It was impossible not to acknowledge the other buildings on the site, as one was 8 metres high, but on balance, he liked the application.

Councillor Rouse said he was very impressed with Mr Chillingworth's comments because they gave context to the application. He appreciated that the house would be large, but it would contain washing and toilet facilities for the employees, and besides which, what was wrong with a big house? He believed that the family should be living on site and he wanted the enterprise to be successful. As such, he could not support the Officer's recommendation for refusal and proposed that the application be granted permission.

Councillor Hunt duly seconded the motion, saying he also believed it to be essential for the family to be on site.

Councillor Cox thought that the proposed dwelling would be dwarfed by the surrounding buildings and declared his support for approval of the application.

The Senior Lawyer reminded Members that they should make it clear that they were judging the proposed dwelling to be essential and necessary for business use.

Councillor Chaplin said this was clearly a very big business and having had experience of this sort of enterprise, it was essential that people were on site. This was a case where it would be hard not to support the application, given the wider context. He was not criticising Officers because they did a great job within the context of the policies.

Members returned to the motion for rejection of the Officer's recommendation for refusal. When put to the vote, it was declared carried, there being 9 votes for and 1 abstention. Whereupon,

It was resolved:

That planning application reference 16/00099/FUL be APPROVED for the following reasons:

- Members believe that it will be essential for the owner to be on site;
- The dwelling will provide an office and washing/toilet facilities; and
- Members do not believe that the dwelling will be visually intrusive, as there are other large properties in the area.

It was further resolved:

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

113. **16/00133/OUT – LAND ADJACENT MOUNT PLEASANT FARM, 66 MAIN STREET, PYMOOR**

Barbara Greengrass, Senior Planning Officer, presented a report (Q259, previously circulated) which sought outline consent with all matters reserved for the erection of four market dwellings.

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

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, an indicative of the proposal and a photograph of the street scene taken from the south

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

- Principle of development;

- Visual amenity;
- Flood risk;
- Highway safety; and
- Residential amenity.

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

The application site adjoined the defined settlement boundary for Pymoor and it was not far from Little Downham, which had a wider range of services and facilities. It was considered that the proposal would help to support the vitality of the rural community of Little Downham and make a positive contribution towards the provision of housing in the area. Its construction would also provide some short term economic benefits.

In terms of visual impact, the site currently had a predominantly rural character that made a positive contribution to the area. The dwellings to the north presently provided a natural physical end to the settlement. The continuation of built form to the south would introduce urban sprawl and an urbanising impact to the south of the village, which would cause significant and demonstrable harm to the character of the countryside and the village setting. It was considered that this level of harm would outweigh the benefit of new housing.

The Senior Planning Officer reminded Members that the application site lay within Flood Zone 3, as identified within the Environment Agency Flood Zone Maps. As such, the proposal needed to be assessed against Policy ENV 8 of the Local Plan, the Planning Guidance on Flooding and Coastal Change, and paragraphs 100 – 104 of the NPPF. It was considered that the Sequential Test was not met because there was other land in and around Pymoor and Little Downham which was not within Flood Zone 3, and development was not necessary on this particular site. The proposal was therefore contrary to local and national policy and should be refused.

In connection with highway safety, the County Highway Authority had raised no objection, and the proposal therefore complied with Policies COM 7 and COM 8 of the Local Plan.

With reference to residential amenity, the indicative plan submitted showed that there would be sufficient amenity space on the plots for future occupiers and the residential amenity of the adjoining residents could be protected.

At the invitation of the Chairman, Mrs Gail Taylor, applicant, addressed the Committee and made the following remarks:

- Although the site was outside the settlement boundary, a Planning Inspector had recently upheld an appeal for another application because of the lack of a 5 year supply of land for housing. Presumption should be in favour of sustainable development, and the Inspector's statement should be followed. Her application should be approved;
- The site is sustainable and it used to have three houses on it – this proposal would replace them;
- Pymoor is a deprived area and employment should be encouraged in small villages;
- The Mount Pleasant site currently employed 18 people and it was hoped to increase this number;
- People wanted to be able to live close to where they worked;
- This proposal would have a beneficial effect, aiding both employment and housing for families who would otherwise have to move out of the village to find housing;
- The continuation of the village boundary would not cause urban sprawl or be visually intrusive;
- Two years ago this site was suggested as suitable by ECDC Forward Planning;
- It is within the 30 mph limit. The Local Plan consultant asked the Parish Council to recommend sites, and this one was put forward;
- Boundaries are not set in stone;
- With regard to the site being in Flood Zone 3, planning permission had been granted at the other end of the village, and that was for an application in Flood Zone 3;
- There was no other land available;
- The Council should be consistent in its approach.

Councillor Rouse asked if the houses would be affordable dwellings, for farm workers, or put on the open market and Mrs Taylor replied that they would be ordinary houses for local people. Councillor Rouse said there could be no guarantee that they would go to local people, but Mrs Taylor thought this was more likely as there was very little housing available in the village at present.

Councillor Hitchin asked for clarification regarding the three dwellings that had previously been on the site. Mrs Taylor explained that they were pre-Victorian and had been pulled down in the 1950's or 60's. Councillor Hitchin suggested that, in heritage terms, granting planning permission could be said to be restoring the landscape.

Councillor Hunt thought that building should be encouraged in Pymoor, as he could not see the bus service improving. He did not consider this application to be building in the open countryside and the access to the site would be within the 30mph speed limit. People in Pymoor needed somewhere to live and sustainable communities should be encouraged. He believed the Officer's recommendation for refusal should be rejected and the application approved.

The Senior Planning Officer disputed that the Parish Council supported the application because they had recommended refusal. With regard to Councillor Hunt's comments, she was not saying that the location was not sustainable, but it was about the impact of the proposal and the flood risk; building should take place in Flood Zone 1.

Councillor Hunt responded, saying that Councillor Bailey had highlighted the fact that PYM 1, which was an allocated site in the Local Plan, was in Flood Zone 3. The Planning Manager stated that the Strategic Flood Risk assessment was now out of date and another was being prepared as part of the Local Plan review. The Environment Agency (EA) had said that as this was the case, the Council should rely on the EA maps and flood zones.

Councillor Bovingdon commented that the flood zones were notoriously inaccurate, and if this application was approved, it would be subject to the exception test. The Planning Manager reiterated that the Sequential Test had to be passed first and then the Exceptions Test would be considered. They would be looking at the parish and immediate vicinity, namely Pymoor and Little Downham, as part of the Sequential Test.

The Chairman said he found it frustrating that some places were dwindling away and had to rely on other parishes. He believed that Pymoor would die away if growth was not allowed.

Councillor Rouse agreed, adding that the community in Pymoor was struggling. The nature of rural life was changing all the time and he did not see why houses could not be built for people. He congratulated the Officer for producing a well balanced report, but said he supported Councillor Hunt's comments and would go against her recommendation.

Councillor Beckett felt that although the site was in open countryside, the trees would hide the buildings. The proposal was subjective and he did not think it would be obtrusive. It appeared to him that the flood risk was either tidal or from the Ouse Washes – only 0.5%. The issue of the Sequential Test was difficult but this site had come forward and a decision had to be made. They were talking about a community, which was separate from Little Downham, and he was minded to agree with Councillor Rouse and grant permission.

In response to a comment from the Chairman regarding the Sequential Test and deliverability, the Planning Manager reminded Members that the NPPF was clear that the Test should be carried out. The Senior Lawyer concurred, reiterating that in having looked at the Sequential Test, there were found to be other sites in more favourable flood risk zones. If an

application failed the Test, Members had to consider whether the sustainability benefits were so great as to outweigh Flood Zone 3.

Councillor Beckett asked if there were any Flood Zone 1 sites that were deliverable; the Planning Manager replied that there were sites within Flood Zone 1 within the Parish. However, these had not been reviewed in detail to see if they were deliverable. The applicant had not submitted any evidence of a sequential approach as part of the application.

It was proposed by Councillor Hunt and seconded by Councillor Bovingdon that the Officer's recommendation for refusal be rejected, and that planning permission be granted. When put to the vote, the motion was declared carried unanimously.

It was resolved:

That planning application reference 16/00133/OUT be APPROVED for the following reasons:

- Members believe the benefits of the scheme will outweigh the flood risks;
- It will be part of the local community;
- There is a need for economic growth in the area; and
- The scheme will assist employment.

It was further resolved:

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

The Committee thanked the Senior Planning Officer for producing what they considered to be three very clear, succinct reports.

114. **16/00334/FUL – 36 THE ROW, SUTTON**

Oli Haydon, Planning Officer, presented a report (Q260, previously circulated) which sought permission for the erection of a two storey extension to the rear of the property.

Members noted that the application had been brought to Planning Committee as the applicant was Andrew Phillips, Senior Planning Officer. In order to maintain an unbiased view of the application, it was considered that delegated authority would not be suitable in the determination of the proposal.

On points of housekeeping, Members were referred to the tabled paper which set out the following amendment to Condition 3 in the Officer's report:

“Following a decision to propose a change in materials, the applicant wishes to use concrete tiles in the roof of the extension to match that of the existing dwelling, as opposed to the previously proposed slate tiles.

Therefore, Condition 3 is amended to:

- 3 *The materials to be used in the construction of the external surfaces shall be as stated by the Applicant on the correspondence dated 12th April 2016 and 25th April 2016. They will be as follows;*

Brickwork – Grantchester Blend by Traditional Brick and Stone Ltd

Brick Detailing – Light Ampthill Blend by Traditional Brick and Stone Ltd

Roof – Concrete Tiles to Match Existing

- 3 *Reason: To safeguard the character and appearance of the area, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan 2015”.*

The Committee was also asked to note that the Sutton Parish Council comments were not received by the 14th April deadline. An extension was given to allow time to receive comments, but unfortunately this was not met. The Parish Council's comments would not be received until following their meeting on 10th May 2016, and thus could not be considered as part of this process.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial photograph, an indicative of the proposal (site plan and elevations), floor plans of the proposal and photographs of the street scene.

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

- Visual amenity;
- Impact on nearby Listed Building; and
- Residential amenity.

In terms of visual amenity, the proposal would be set down from the parent ridge and in from the existing side elevation. This would give the extension a clearly subservient appearance in relation to the parent dwelling. The proposed materials would give a sympathetic appearance in relation to the dwellings at 36 and 36A The Row.

Members noted that the proposal had been designed to minimise the impact on the attached neighbour at No. 36A through design features of a pitched roof and set-down ridge height. The windows proposed in the elevation facing No. 34 had been either obscurely glazed for the non habitable area, or designed with a high sill level to ensure no risk of overlooking and subsequent impinging of the neighbour's privacy. No harm would be caused to the residential amenity of the nearby occupiers.

A Grade II Listed cottage was approximately 30 metres from the application site, on the opposite side of the road. It was considered that,

given this distance, the rear extension at No. 36 The Row would be unlikely to impact upon the character or setting of the building.

The Chairman thanked the Planning Officer for the vivacity of his presentation, and reiterated that the application had only come before the Committee because the applicant was an Officer.

It was duly proposed and seconded that the Officer's recommendation for approval be accepted. When put to the vote, the motion was carried unanimously. Whereupon,

It was resolved:

That planning application reference 16/00334/FUL be APPROVED, subject to the conditions as set out in the Officer's report, and the amendment to Condition 3 (roofing material to match existing).

115. **PLANNING PERFORMANCE REPORT – MARCH 2016**

Rebecca Saunt, Planning Manager, presented a report (Q261, previously circulated) which summarised the planning performance figures for March 2016.

She asked Members to note that the figures shown were well within current targets, but targets were to be reviewed and increased in the new Service Delivery Plan.

With regard to staffing issues, Jon Pavey-Smith would be leaving the Authority and a new Officer had joined the Support Team.

Validations were coming back within five days.

A review of planning conditions was being undertaken by Officers with the Enforcement Team also being involved and it was anticipated that they would be ready by the end of June. Following discussions at meetings with the parish councils, they had requested that a copy of the reviewed standard conditions be sent to them for information and a copy would also go out to all District Members.

Daily uploads were being made on a new Twitter account for ECDC Planning, which showed all of the applications that had been validated the previous day.

There had been a high response rate from parish councils wanting the Planning Manager to attend their meetings.

It was resolved:

That the Planning Performance Report for March 2016 be noted.

The meeting closed at 4.50pm.