



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange,
Nutholt Lane, Ely on Wednesday, 4th October 2017
at 9.30am.

P R E S E N T

Councillor Joshua Schumann (Chairman)
Councillor Christine Ambrose Smith
Councillor Sue Austen
Councillor Derrick Beckett
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Mark Goldsack (substitute for Councillor David
Chaplin)
Councillor Neil Hitchin (substitute for Councillor Lisa Stubbs)
Councillor Bill Hunt
Councillor Mike Rouse
Councillor Stuart Smith

OFFICERS

Tim Driver – Planning Solicitor
Barbara Greengrass – Senior Planning Officer
Oli Haydon – Planning Officer
Toni Hylton – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Gareth Pritchard – Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Allen Alderson
Councillor Anna Bailey
Councillor Mike Bradley
Councillor Lis Every
Councillor Richard Hobbs
Councillor Julia Huffer
Approximately 33 members of the public

80. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors David Chaplin and Lisa Stubbs.

It was noted that Councillor Goldsack would substitute for Councillor Chaplin, and Councillor Hitchin for Councillor Stubbs for the duration of the meeting.

81. DECLARATIONS OF INTEREST

Councillor Beckett declared a prejudicial interest in Agenda Item No. 14 (17/01362/FUL, Sidings Farm, Ely Road, Prickwillow). The Planning Solicitor advised him that he could exercise his right to address the Committee but he should then withdraw from the Chamber prior to consideration of the application.

82. MINUTES

It was resolved:

That the Minutes of the Planning Committee meeting held on 6th September 2017 be confirmed as a correct record and signed by the Chairman.

83. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- Ruth Gunton, Planning Officer, was leaving the Authority at the end of October. On behalf of the Committee he wished her well for the future;
- He been asked to explain why the Minutes of the meeting of the Committee held on 18th September 2017 were not included with the agenda for this meeting. The meeting on 18th September was an additional or *extraordinary* Committee meeting scheduled in addition to the *ordinary* meetings timetabled in the Calendar or Meetings on 6th September and today 4th October. It was required due to the large volume of applications needing to be determined by this Committee in accordance with defined timescales.

Under common law and the Constitution of this Council, Minutes of the preceding *ordinary* meeting must appear on the Agenda of the next *ordinary* meeting. However, where an *extraordinary* meeting is held, particularly when it is in close proximity to the date of an *ordinary* meeting, it may not be possible to prepare the Minutes of the *extraordinary* meeting to be submitted to the next *ordinary* meeting of the Committee. Under these circumstances, the Minutes will be submitted to the *next practicable ordinary* meeting.

This was the situation in this instance as, due to the meetings only being two weeks apart and therefore the Agenda for the next *ordinary* meeting needing to be despatched only a week after the 18th September meeting, it was not possible to get the Minutes of the 18th September *extraordinary* meeting written, checked and finalised by Officers in time for the Agenda despatch.

Also, in this case, it was doubtful if it would be achievable for the Minutes to be prepared to be tabled at the meeting on 4th October, due to the volume of business at the 18th September meeting and the other meetings commitments of the Democratic Services Officer concerned.

Therefore, it was intended that the Minutes of the 18th September *extraordinary* meeting would be submitted to the *next practicable ordinary* meeting timetabled for 1 November 2017.

The draft Minutes of the extraordinary meeting held on 18th September would be published on the Council's Website within the next week, once they had been checked and signed-off by the relevant Officers associated with the Committee.

- The papers dispatched for the meeting of Full Council on Thursday, 5th October 2017 included the Draft Local Plan. As the proposed Draft Submission had yet to be approved, today's meeting would not take account of its proposals;
- The Chairman welcomed the members of the public to the meeting and apologised to those who would have to wait for the applications listed towards the end of the morning session. He then explained how the public speaking scheme worked and said that due to the numbers of speakers registered, the scheme would be very strictly applied; when the light tower flashed red, the speaker had reached their 5 minute limit and had to stop.

84. 17/00481/OUM – LAND REAR OF 98 TO 118 MILDENHALL ROAD, FORDHAM

Barbara Greengrass, Senior Planning Officer, presented a report (S121, previously circulated) which sought permission for residential development of the site with up to 100 dwellings together with public open space, landscaping, and sustainable drainage systems. All matters were reserved apart from means of access. The proposal was to provide for an access onto Mildenhall road through an existing wide open gap in the residential frontage.

On a point of housekeeping, Members were asked to note the following;

- The County Council was seeking an education contribution in excess of £1,850 million;
- In paragraph 7.2.2 of the report, the figure relating to the reduced haulage area should read 0.1 hectares; and
- A letter of objection from R Palmer & Sons had been circulated to Members. It raised concerns regarding the likelihood of the noise from their steel manufacturing business impacting on the future occupiers of the proposed development.

The site was located outside the development boundary of Fordham on the southern edge of the village bounded by residential development to the east and north, and by two business premises to the north and west. It was bounded by Palmer & Sons steel fabrication business to the west. The site itself was open agricultural land and was visible from Mildenhall Road where a large gap in the frontage development would form the access to the site.

Members were advised that the application was being brought to Committee under the terms of the Constitution.

A number of illustrations were displayed at the meeting, including a map, an aerial image, a illustrative framework plan of the proposal, and a photograph of the street scene showing the proposed access.

The Committee noted that the key issues for consideration in the determination of this application were:

- Principle of Development;
- Visual Amenity;
- Residential Amenity;
- Highway Safety;
- Flood Risk and Drainage;
- Noise Impact; and
- Ecology, Biodiversity and Archaeology.

With regard to the principle of development, the Senior Planning Officer reminded the Committee that as the Authority was currently unable to demonstrate an adequate five year supply of land for housing, the presumption should be in favour of sustainable development.

The proposed scheme would add up to 100 dwellings to the District's housing stock and provide 40% affordable housing. The dwellings would immediately adjoin the settlement of Fordham, with its good range of services and facilities, along with a recently extended primary school, good transport links and a regular bus service to Newmarket, Cambridge and Ely.

It was noted that this site was proposed for housing in the 'first call for sites' exercise alongside the preliminary draft Local Plan in February/March 2016. It was rejected by the Council due to the high impact on the landscape and the loss of employment land and was not taken forward into the further draft Local Plan in January/February 2017. The Senior Planning Officer reiterated that in determining this planning application a different test was applied to that which was applied when assessing a site's suitability for inclusion within the Local Plan.

It was considered that the benefits of the proposed scheme would be outweighed by the significant and demonstrable harm caused to the character and appearance of the area, and good design principles. Also of relevance was the impact on the operation of the haulage yard, as part of the yard site had been incorporated within the proposed residential development site. Policy EMP1 sought to safeguard existing employment uses, and the applicant had advised that this would be done as the existing business could still operate on a reduced site area.

In terms of visual impact, the applicant had submitted an illustrative framework plan which showed in very broad terms, how the dwellings could

be set out with open space provision to the north west of the site and some to the south east with a pine belt along the southern boundary of the site to reflect the presence of an existing pine belt to the east. The proposals showed provision for a pedestrian link from the development onto Mildenhall Road.

The Noise Assessment Report stated that the noise attenuation should comprise a 3 metre high barrier and proposed a 1 metre bund with a 2 metre fence on top. It would therefore be a substantial structure and prominent from within the site, when viewed from Mildenhall Road and on accessing the site along the proposed footpath link.

It was considered that the site could be acceptable if sensitively designed, but the scale and form of development proposed would not be informed by or sympathetic to the location and would not protect the settlement edge. A development of 100 dwellings would provide for a density of 34 dwellings per hectare, which was considered to be too high and inappropriate for this location. Members noted that the applicant had been asked to amend the application to provide for fewer dwellings on the site, more in line with the density of the surroundings, but had refused to do so.

The development would therefore be harmful to the character and appearance of the area contrary to Policy ENV1. The weight of the adverse environmental impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

The provision of a bund to achieve acceptable noise attenuation was not considered to be visually acceptable. It would need to be used in conjunction with the need for windows to remain closed, so alternative means of ventilation would be required. The applicant was asked to provide more information to allow a more informed decision on the extent of the properties which would require acoustic ventilation, but refused to do so.

In terms of the access between the residential properties, it was considered that there would be an increase in traffic noise and disturbance. The substantial width available to provide the access would allow for ample space to satisfactorily mitigate this.

The County Highways Authority had advised that they were satisfied with the proposed access to the site following the completion of a road safety audit. However, the Transport Team maintained their holding objection and had asked for additional information in order to be satisfied that there would be no adverse impact on the transport network. A Transport Addendum was submitted, but it did not satisfactorily address their concerns and their objection therefore still stood.

Anglian Water had confirmed that there was currently sufficient capacity for foul water drainage and the Lead local Flood Authority (LLFA) had raised no objection in principle subject to conditions providing for more details and measures for the long term maintenance strategy. It was therefore considered that sufficient information had been provided to satisfy the Planning Authority that an adequate SuDS could be designed and accommodated on the site.

Appropriate mitigation and enhancement measures had been proposed, including measures to safeguard nesting birds and the provision of new roosting and nesting opportunities for bats and birds within the application site.

The Historic Environment team did not object to development proceeding in this location, but considered that the site should be subject to a programme of archaeological investigation secured through condition.

In connection with other material matters, Members noted that the provision of 40% affordable housing complied with Policy HOU3. The amount of open space, including the ability to accommodate up to 100 dwellings was questionable; and the contribution towards education and lifelong learning would be subject to discussion.

At the invitation of the Chairman, Parish Councillor Malcolm Roper, Fordham Parish Council, read out from the following prepared statement:

'Fordham Parish Council totally endorses the reasons for refusal stated by the Senior Planning Officer.

In addition, the Parish Council would add the following comments:

In respect of Environmental Health (Technical), it understands that the Noise Survey that the applicants arranged was carried out in November during the morning until 12.07pm. At that time of the year the workshop doors are closed and is not working at full capacity in the winter months.

The proposal shows dwellings close to the boundary of the workshop and if this development is allowed it is possible that the environmental health Officer (EHO) would be required to serve a Noise Abatement Notice if complaints were raised by future residents. This would be totally unacceptable for an established business since the 1950's and at the current site for at least 15 years. The reason for moving to this location was to avoid disturbance to residents. This business serves the local community and employs several people who live in the village.

In respect of the Transport Assessment Addendum, the assessment prepared by Icenl in no way addresses the concerns or comments raised by the Parish Council at the consultation stage. For instance, there are no details of the additional daily vehicle movements onto the Mildenhall road. It merely shows the effect on the traffic at 3 locations on the outskirts of the village, on the A142 heading North and South and the Military Road. All this traffic starts on the proposed development and travels into the village before it reaches those 3 locations.

The Speedwatch team carried out a vehicle check on Monday 2nd October morning and Tuesday 3rd October morning and afternoon. The morning checks were carried out at 8.00am and 7.45am respectively and the afternoon at 5.00pm. Each session was for 1 hour and results were as follows:

Monday, 8.00am 324 vehicles towards the village;

Tuesday 7.45am, 389 vehicles towards the village and 284 vehicles towards Mildenhall;

Total for the morning in both directions 673 vehicles with 27 HGV's;

Tuesday, 5.00pm 333 vehicles towards Mildenhall.

It is the view of the Parish Council that if this development is permitted there will be an extra 565 vehicle movements every day based on TRICS – Trip Rate Information Computer System.

Together with the extra vehicle movements of 467 from the development already approved on the opposite side of the road this would be over 100 extra vehicles a day onto the Mildenhall Road. Based on the Speedwatch survey that would mean that 500 extra vehicles travelling into the village daily resulting at peak times over 100 extra vehicles which is simply unsustainable.

Fordham Parish Council ask the Committee to accept the decision of the Senior Planning Officer and the deep concerns of the Parish Council and residents and refuse this application.'

At the invitation of the Chairman, Councillor Julia Huffer, a Ward Member for the Fordham Villages, read from the following prepared statement:

'I am speaking this morning to oppose this planning application. Earlier this year I came before you in defence of an application on Mildenhall Road almost opposite this site. I did so on the grounds of what that application offered to the community in terms of low density, working with the Fordham CLT and most importantly, the large area of open space to be donated to the village for use as they see fit. Councillor Rouse described it as an exemplar application and the sort of application he would like to see more of.

This application offers none of this, it only involves the maximum density and the only public open space is an area which I understand to be contaminated land unsuitable to build houses on, but alright for children to play on apparently. The additional traffic that this application would generate on top of the 79 houses already granted approval for earlier this year would make this area of the village an even busier road than it is now. As an active member of the local Speedwatch team I have witnessed firsthand the volume of traffic and also the speed of all types of vehicle using that road. This road is part of the safer routes to school, this road would become anything but a safer route to school.

As the new Local Plan has reached its final stages the allocation of sites in Fordham totals approximately 325 new houses of which 121 already have had planning approval granted with one large site of 150 already submitted to the Planning Department.. This represents a growth in our village of around 26%. An additional 100 houses would represent a growth of around 35% and would place an unacceptable burden on the infrastructure of this village.

Fordham is not against growth but I feel, as do many residents and the Parish Council, that we have done our bit. This application lacks imagination and is typical of a developer trying to cram as many houses as possible onto a site. This site was put forward for consideration in the call for land but was disregarded as unsuitable by the Strategic Planning

Department as it would have an unfavourable impact on the landscape and also result in the loss of an employment site.

Please uphold the recommendation of the Senior Planning Officer and refuse this application.'

Councillor Rouse commented that the education contribution requested seemed very high, and thought that this could affect the viability of the scheme.

Councillor Hunt asked the Senior Planning Officer to expand on the Parish Council's comments on page 9 of her report, regarding contaminated land. The Senior Planning Officer replied that this had been lead by the Environmental Health (Scientific) Officer, who accepted the findings of the Phase 1 Preliminary Risk Assessment. The Planning Manager added that the EHO had recommended that standard contaminated land conditions be attached to any planning consent prior to commencement of work.

Councillor Hunt reminded Members that they had to represent the public and give voice to the public's concerns when they could not do so themselves. He believed this to be a dreadful application; it was overdevelopment, it showed an excess of greed and it was totally unacceptable. It was absolutely important that the Committee listened to the representatives of the local community, which included the Parish Council and Ward Members. He found it incredible that future occupiers would have to look at an ugly bund, the density of the scheme was too high, there would be no paths and most likely tandem parking on the development. He had concerns regarding contaminated land and the noise from the nearby business. He believed the application should be refused.

The Chairman said that as the other Ward Member for Fordham Villages, he had stayed open minded and made no comment about the scheme. He had now looked at it in its whole form and agreed with Councillor Hunt; it was a shoddy application. The proposed density could not be achieved and the development would have a cumulative effect on Fordham. The village had worked with the Authority and welcomed development, but this application was too much.

Councillor Rouse thought that if the proposal for 'up to 100 houses' was accepted, the developer would probably build 99 or 100 dwellings on the site. This density was too high, whereas a development could be achieved with lower numbers of properties. He congratulated the Senior Planning Officer on her report and the way in which she had tried to work with Gladman Developments Ltd. It was unfortunate that they were not prepared to compromise and he therefore supported refusal of the scheme.

Councillor Beckett concurred, adding that the proposed density was that of an urban area. He was concerned about the haulage yard and steel fabricators because the businesses had moved there in the first place so as not to create a nuisance. They were local businesses for local people. With regard to the issue of contaminated land, he felt that the Committee should listen to local people because they had local knowledge, whereas someone coming in to carry out a survey might not have that same level of knowledge.

Councillor Ambrose Smith said that while she was sorry to see the potential loss of affordable housing, employment had to be protected.

It was proposed by Councillor Hunt and seconded by Councillor Rouse that the Officer's recommendation for refusal be supported. When put to the vote,

It was resolved unanimously:

That planning reference 17/00481/OUM be REFUSED for the reasons given in the Officer's report and for the additional reasons:

- The addition to reason for refusal No. 1 in relation to density and impact of future residents;
- The cumulative impact of the development on Fordham; and
- The safeguarding of the existing businesses.

85. 17/01036/FUL – LAND ADJACENT HIAMS FARM, CHATTERIS ROAD, MEPAL

Gareth Pritchard, Planning Officer, presented a report (S123, previously circulated) which sought consent for a one and a half storey dwelling on land adjacent to Hiams Farm, Chatteris Road, Mepal. An amended plan was submitted to alter the application red line to take it up to the public highway and notice had been served on adjacent landowners as a result.

On a point of housekeeping, Members were asked to note an error in paragraphs 7.1.4 and 7.1.6 of the Officer's report; it should read that the proposed development site was in Mepal, not Soham. He also drew attention to comments received from the Environment Agency. These had been circulated to Members and were tabled at the meeting.

The site was located approximately 1.2 miles to the north-west of the established development framework for Mepal and was accessed via the A142, which ran to the east and north of the site. The site, which was in Flood Zone 3, was characterised as being in a countryside location with sporadic development in the locale.

It was noted that the application had been called in to Planning Committee by Councillor Mike Bradley. His reasons were set out in paragraph 2.3 of the Officer's report.

A number of illustrations were displayed at the meeting, including a map, an aerial image with the site outlined in red, and the proposed elevations.

The Committee noted that the key issues for consideration in the determination of this application were:

- Principle of Development;
- Flood Risk;

- Visual Amenity;
- Residential Amenity;
- Highway Safety; and
- Other Matters.

With regard to the principle of development, the Planning Officer said that Members were well aware of why sites such as this, by virtue of their isolation and distance to main settlements, were considered to be unsustainable. This was also in line with recent Planning Inspector decisions. Whilst the dwelling would provide a small contribution to the five year land supply shortage, there were a number of sites within Mepal which were in a more sustainable location in the form of windfall sites.

It was noted that the application site was located in Flood Zone 3, defined within the NPPF Planning Practice Guidance as having a 'high probability' of flooding. A Flood Risk Sequential Test had not been submitted by the applicant and in its absence, the Authority had considered the requirements of the Test. It was considered by the LPA that there were a number of other reasonably available sites for the erection of a single dwelling within the Parish of Mepal which were at a lower risk of flooding. Therefore the proposed additional dwelling was not necessary in this location and the application failed the Sequential Test for this reason. It was also noted that the Environment Agency still maintained their objections to the scheme.

In respect of visual amenity, the Planning Officer stated that the proposed dwelling would be within a small cluster of development. The introduction of a dwelling alongside the existing dwelling on Hiams farm and buildings to the south would, to a certain extent, result in an urbanising of the landscape. However, due to the plot size and scale of the proposed dwelling there would still be views of the landscape beyond.

Speaking next of residential amenity, the Planning Officer stated that due to the location of the proposal in relation to neighbouring dwellings, it was not considered that it would cause a significant loss of privacy or a loss of light or by being overbearing. As such, the application was considered to comply with the residential amenity of Local Plan Policy ENV2.

The Committee noted that an amended plan was submitted to take the red line denoting the site up to the public highway. The Local Highways Authority had raised no objections to the proposed development. The applicant had also demonstrated that there was sufficient space within the plot for the parking and manoeuvring for a minimum of two vehicles and the proposal therefore complied with Policy COM8.

At the invitation of the Chairman, Mr Geoff Beel, agent, addressed the Committee and made the following points:

- He wished to clarify regarding the revised Flood Risk Assessment. In paragraph 7.2.12 of the Officer's report, it said that the revised Assessment had not been received and yet the slide showed it. The text in the report was referring to the original Assessment;

- The further letter from the Environment Agency was only about raising the floor levels above ground level;
- He believed the context of the report was misleading;
- The Parish Council supported the application;
- The Environment Agency objections could be overcome by raising the floor levels;
- The Flood Maps took account of the breaching of the Middle Level Bank, and this was undergoing maintenance, as it was designated under the 1975 Act. If the Middle Level Barrier Bank failed, the Environment Agency would be under a breach of its statutory duty;
- There was a 1:1000 years level of protection – higher than any other in the country, apart from the Thames barrier. It was one of the safest in the country;
- The objections could be overcome and the application should be approved.

Councillor Beckett asked Mr Beel how the finished floor level would relate to the road level from where Members stood while on their site visit. Mr Beel replied that it would be lower than the A142, but higher than the track.

At the invitation of the Chairman, Parish Councillor Elizabeth Stazicker, Chairman of Mepal Parish Council, addressed the Committee and made the following comments:

- The Parish Council was very sad that the lack of a 5 year supply of housing land had seen applications straggle, with the applications being for market advantage;
- This did not help the village either socially or economically;
- This application was for one dwelling and with regard to sustainability, it was felt that having Mr Baxter living and working in Mepal would be a help;
- There is a bus service on the A142 and the bus stops at the Mepal Outdoor Centre;
- It was hoped that the Outdoor Centre could be revitalised;
- They had to be realistic in looking at environmental factors, and Mepal needed more than one shop and an hourly bus service;
- This development could bring economic advantages and she did not think the proposal was unsustainable;
- In respect of the Sequential Test, she did not believe it was reasonable to expect Mr Baxter to go elsewhere. The developers at the Arthur Rickwood site had not been asked to do so;
- The Planning Committee was admirable in seeing flexibility.

At the invitation of the Chairman, Councillor Mike Bradley, a Ward Member for Downham Villages, read from the following prepared statement:

'Mr and Mrs Baxter have lived and farmed at Hiam's farm since 1997. Mr Baxter has bred horses all his life, he has 14 acres and additionally in the summer grazes approx. 50 acres on the Ouse washes (area opposite RSPB site). This is vital work since if Mr Baxter didn't graze it and help conserve this land the RSPB and others would have to arrange for grazing to preserve the habitat.

To support them and their farm they would like to build a property for their grandson to help support them as they age gracefully and to maintain the farm.

This is a sustainable location the work is on the farm breeding horses.

The No 9 bus stops outside of the property on the A142, given them better connections to Chatteris, Mepal and Ely. This is far better than the majority of the residents in the Downham villages ward where several villages have no bus.

Opposite is the Arthur Rickwood site where a hostel for 35 people was approved (see 7.1.8 re agricultural workers).

Policy HOU5 states that proposals for permanent dwellings in the countryside for full-time workers in agriculture, forestry, stud and other rural activities will be permitted as an exception to the normal policies of control in certain circumstances. Initially, the grandson will be part time but in the future maybe full time. I would argue that this clause should be used because of the essential conservation work on the Ouse washes.

Breeding horses is 24/7 and if horses are out on the washes, then in the event of a flood warning the horses have to be taken off the washes and this could be anytime so full-time worker has no meaning in this context. It can be anytime.

The flood analysis is suspect, this property is the opposite side of the Ouse Washes from Mepal and is protected by the MLBB to Reservoir standards (1 in a 1,000 year event by Act of Parliament and as required under Section 10 of the Reservoirs Act 1975).

The SLBB which protects Mepal etc is to 1 in 100 years and Mepal is at risk because the Hundred Foot is not being dredged and is open to the sea so subject to a North Sea surge. Also the SLBB is only being protected to a lower standard so Pymoor & Mepal are at serious risk in the event of a North Sea surge with a flooded Ouse Washes.

Mr Baxter's property is protected by the MLBB. Obviously, he will comply with flood risk height assessment so should not a problem.'

At this point the Planning Manager reminded Members that the application was not being assessed as an agricultural dwelling, as no business case had been submitted; it was being assessed purely as a new dwelling.

Councillor Goldsack, having noted that the Environment Agency had stated its objection could be overcome, said that he was minded to go against the Officer's recommendation and support approval of the scheme.

Councillor Hunt said he had taken on board the comments made by the Chairman of the Parish Council. He did not know the location had a 1:1000 risk and it would therefore be a safe place. He reiterated that the Committee should listen to local Members and the Parish Council because here was a clear example of their support for the application, and weight should be given to it.

He too hoped the Mepal Outdoor Centre would reopen as it would help to create a community. With regard to the increased desire for mobility, the Mayor of Cambridgeshire & Peterborough had commissioned an enquiry. The bus service would remain or increase, as would sustainability.

Councillor Beckett remarked that there was not always a warning when an area was going to flood, and in that situation animals had to be moved quickly. Whilst he agreed with the Planning Manager regarding policy, this was a small family farm and he felt that Mr Baxter would not be able to supply a business case to support essential need. He was minded to agree with the other Members who supported approval.

Councillor Rouse concurred, saying that it had been a well argued case from an able agent, with support from the Parish Council and the local Member. In recommending refusal the Officer was doing his job, but he supported approval of the scheme.

The Chairman thought this application highlighted some of the difficulties when faced with statutory consultees and Flood Risk Maps. The Planning Officers had to acknowledge policies and Members were there to apply common sense.

The Planning Manager said that a condition could be imposed linking the dwelling to the business so that it could not be sold.

It was duly proposed by Councillor Goldsack and seconded by Councillor Hunt that the Officer's recommendation for refusal be rejected and the application be granted approval. When put to the vote,

It was resolved:

That planning application reference 17/01036/OUM be APPROVED for the following reasons:

- Members believe the location is sustainable, based on the transport links and access to the A142; and
- The property will be protected from the risk of flooding.

It was further resolved:

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

86. 17/01055/OUT – ASHFIELD HOUSE, 20 HIGH STREET, STETCHWORTH

Gareth Pritchard, Planning Officer, presented a report (S124, previously circulated) which sought outline planning permission for access, layout and scale for the demolition and re-construction of No.20 High Street and the construction of four dwellings in the associated paddock to the west.

The site was located outside of the established development framework for Stetchworth on the western edge of the village and beyond the High Street. There were a number of listed buildings along the High Street which typically followed the linear pattern of development along that road. The closest, No. 32 High Street (Grade II listed), would share a boundary with No. 20 and would see the change of use of an existing orchard to residential curtilage.

It was noted that the application had been called in to Planning Committee by Councillor Chris Morris because it was *'outside the brown envelope ... and the Parish Council wished it to go to the Planning Committee for consideration.'*

A number of illustrations were displayed at the meeting. These included a map which highlighted the listed buildings and trees covered by Tree Preservation Orders, an aerial image, the layout of the proposal, and the planning history of the site.

The Committee noted that the key issues for consideration in the determination of this application were:

- Principle of Development;
- Visual Amenity and impact on historic environment;
- Residential Amenity;
- Trees;
- Highway Safety; and
- Other Matters.

The Planning Officer reminded Members that the site had been subject to a recent planning application seeking outline permission with access for three dwellings. The application was refused at Officer level in December 2016 due to the principle of development on the site, impact to trees and the impact on residential amenity. This decision was subsequently appealed by the applicant and the appeal dismissed only on the grounds of the impact on the amenity of the occupiers of No. 20 due to the close proximity of the proposed access. The Inspector considered that residential development on this site would extend an existing pattern of development and would not appear incongruous. The principle was therefore considered to be acceptable subject to satisfying all other material planning considerations.

The Planning Inspector did not believe residential development of this site would cause demonstrable harm to the character of the area given the context of the dwellings to the south and the boundary screening around the site. Within this context the additional dwelling in the paddock was not considered to have a detrimental impact beyond that considered by the Inspector.

As a result of amended plans, including the closure of the existing access to No.20, there were significant opportunities to secure a high quality landscaping scheme as a result of the proposal. With the reduction of the ridge height to 8m it was considered to be more reflective of the edge of settlement location and was not considered to impact on heritage assets.

Due to the location of the proposal in relation to the neighbouring dwellings it was not considered to have a significantly detrimental impact on residential amenity that could not be dealt with at the reserved matters stage. It complied with the requirements of the Design Guide SPD and was therefore considered to comply with Policy ENV2 in this regard.

Members were reminded that there were a number of mature trees in, and surrounding the site and a number of them were covered by Tree Preservation Orders. The proposal would result in the removal of one TPO protected tree to the front of the site but the retention of one Ash tree previously designated for removal. This was through the agreed closure of the existing access to No.20.

Following amended plans the Trees Officer had removed his primary objections to the scheme, subject to a high quality landscaping scheme coming forward as part of a reserved matters application.

In connection with highways safety, it was noted that the Local Highways Authority had raised no objections to the proposed access. The layout showed that there was sufficient space within the plot for the parking and manoeuvring for a minimum of two vehicles per dwelling and therefore it complied with Policy COM8.

The Preliminary Ecological Appraisal supporting the application considered the site to be of relatively low ecological value and recommended that clearance be carried out outside of the nesting season. The site had potential for ecological enhancement which could be secured by a condition.

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

- She lived in The Beeches, the lane off the High Street and would be directly affected by the proposal;
- Why was building to be allowed outside the village envelope, as other houses would be built within the meadow to justify the scheme;
- The house to be demolished was worth £750,000 and the applicants had right of Way;
- The other houses objected to the private road being used as an access, and she questioned the legality of this;

- This was an unadopted road. It had no pavements and would be hazardous to children;
- There would be a loss of all privacy;
- The first application was refused and the Case Officer had concerns regarding the second;
- Stetchworth Parish Council and Councillor Chris Morris objected to the application;
- The Planning Committee should listen to the local community, because if there was another appeal, the District Council would have to pay the costs.
- The application should be refused.

At the invitation of the Chairman, Ms Sophie Pain, agent, and Mr Mahoney, applicant, each addressed the Committee and made the following points:

Ms Pain:

- The Officer's report and presentation was very comprehensive;
- The earlier appeal had been dismissed only because of the impact of the access road on the amenity of No. 20;
- No. 20 was to be demolished and rebuilt. It could not be described as isolated;
- This development would comprise 5 new houses, including No. 20;
- The development would contribute to the district's housing stock and this carried weight in the planning balance;
- The access road would be to an adoptable standard and there would be replanting;
- The project team had worked with Officers and amendments had been made to the plan to address concerns raised by the Conservation Officer;
- There would be no harm to the heritage assets;
- The development should be seen as an appropriate extension to the village, as the Inspector had advised when concluding the appeal.

Mr Mahoney:

- This was a reasonable sized site and good use would be made of the land to provide high quality houses;
- He had discussed his proposals with the occupiers of the neighbouring properties. He had received both positive and negative comments;

- He had done all he could to maintain the separation of the properties;
- He had a legal right of way over the access road. This was a civil matter to be dealt with between himself and the other road owners;
- It would not be a commercial development;
- He was trying to work with Officers because he was committed to ensuring the houses were of a high quality.

Councillor Beckett noted that No. 18 High Street was substantially lower than No. 20 and the access road, and he asked how run-off would be dealt with. Mr Mahoney replied that the Drainage Consultant had said there was no issue. Whilst there had been some flooding about 14 years ago, work had been undertaken to deal with this and besides which, condition 6 in the Officer's report addressed the matter.

For the benefit of all present, the Chairman clarified that in referring to the 'brown envelope', Councillor Morris actually meant the development envelope.

In declaring her support for the application, Councillor Ambrose Smith said she believed the value was in the location as the property to be demolished was not, in her opinion, an architectural gem. The proposal would provide extra houses in an attractive setting, and there would also be an element of self build.

Councillor Rouse agreed, saying that the key was the appeal decision and the Inspector's comments. He felt it would be difficult to come to any other conclusion, and the application should therefore be approved.

Councillor Hunt expressed having some difficulty because he could see the points for and against approval. The Inspector's opinions had to be considered, and he noted that the Ward Member had not given an opinion. However, the applicant wanted to demolish the house and had said he would ensure the scheme was a quality development.

Councillor Beckett requested that it be included in condition 6 that No. 18 should be part of the consultation. The Chairman advised that the Case Officer could take up on this rather than conditioning it.

Councillor Goldsack said he had noticed a tree feller on site during the Committee's site visit. He expressed the hope that the TPO's would be ensured as he did not wish to see the trees cut down and the applicant receive a fine.

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

When put to the vote, the motion was declared carried, there being 10 votes for and 1 vote against.

It was resolved:

That planning application 17/01055/OUT be APPROVED subject to the recommended conditions as set out in the Officer's report.

There was a comfort break between 11.10am and 11.20am.

87. 17/01221/OUT – LAND NORTHEAST OF 37 AND 38 HIGH STREET, CHIPPENHAM

Andrew Phillips, Senior Planning Officer, presented a report (S125, previously circulated) which sought outline permission for five dwellings with all matters reserved.

An indicative layout had been submitted to show it was possible to fit 5 dwellings on the site, but as all matters were reserved the plan was not for determination.

On a point of housekeeping, Members were asked to note that an additional comment had been received from Scotland End and Members had received packs with all of the neighbour comments received for this application.

The site was located outside of but adjacent to the village framework and Chippenham Conservation Area. It was within a Mineral Safeguarding Area, in an open field surrounded by mature planting. A Public Right of Way was located on the northern and eastern boundaries of the paddock, but was separated from the application site by at least 48 metres. A listed building was situated on the opposite side of the road approximately 30 metres southwest of the likely proposed site entrance.

It was noted that the application had been referred to Planning Committee by the Planning Manager as it was considered that the determination would benefit from a democratic decision.

A number of illustrations were displayed at the meeting, including a map, an aerial image, an indicative layout, and two photographs of the street scene.

The Committee noted that the key issues for consideration in the determination of this application were:

- Principle of Development;
- Visual Amenity;
- Residential Amenity;
- Highway Safety; and
- Historic Environment.

In connection with the principle of development, it was noted that Chippenham was a small village where easy access to services and facilities was limited. Therefore, the need to use a vehicle in a District where which was mostly rural was not considered to cause significant and demonstrable harm, with the site being adjacent, and closely related to the village

framework. As such, the proposal for five dwellings was considered to be proportionate and acceptable in principle.

As all matters were reserved on this application, only a limited assessment of visual impact could be made. The most likely layout of the proposal would be that of a cul de sac and the proposed plot sizes following those of the edge of the village density. The harm to the rural character of the area was considered to be minor and future landscaping would likely to help assimilate the development into the landscape.

Layout and scale were not being considered at this stage, and so it could not be judged whether the proposals would have a harmful overlooking or overbearing impact on neighbouring dwellings. Environmental Health had requested conditions regarding construction hours and potential contamination, and these were considered reasonable, as they would protect both existing and future residents.

With regard to the impact on heritage, Members noted that although the site was located adjacent to the Conservation Area, it was visually separated by the established rear and side boundaries of 37 and 38 High Street. The scheme was also located a considerable distance from the nearest listed building. It was therefore considered very unlikely that the proposed dwellings would have any impact upon any other property's residential amenity. At the reserved matters stage appearance could be secured which was of a high standard of design and materials, in order to enhance the area.

The Senior Planning Officer stated that access was a reserved matter although no objections had been raised by the Local Highways Authority. The proposed development would therefore not have any detrimental impact on highway safety. There was plenty of space on site for at least two parking spaces per property and cycle storage could be accommodated in garden sheds or garages, depending on the final design.

In connection with other matters, it was noted that the proposal was unlikely to have a harmful net biodiversity impact and any required improvements would be secured by condition.

An occupant of Scotland End had made the point that the proposal had a restrictive covenant precluding any development of the property and additional covenants to protect water supply pipes and telephone cables. The Senior Planning Officer reiterated that such private legal agreements on the land were not a matter for the Local Planning Authority and held no weight in the determination of this application.

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

'My name is Brian Barrow and I am a Chartered Surveyor and Planning Consultant as well as having lived in Chippenham for 22 years.

I have only become aware of the details of this application in the last couple of weeks and when advised it was possibly going to be recommended was extremely surprised.

East Cambridgeshire doesn't have its 5 year supply but that doesn't open the door to unsustainable development. Sustainability is defined in the national planning Policy framework and contains three aspects: economic, social and environmental.

If a proposal is sustainable then it should be granted but conversely if it unsustainable it should be categorically refused. I have looked at the Officer's report and consider there are some significant flaws and omissions, particularly in the way some of the professional concerns have been addressed.

The Officer identifies the lack of 5 year housing supply as being an important point. However the report misrepresents some key aspects and skips over or ignores others even from important consultees. From experience with other schemes this report looks rushed and has left many unanswered aspects. This is important as in any particular case you look to balance the various issues so all must be addressed. This should lead to either a conclusion that the development is sustainable or that it isn't.

On the economic side, there is little in the way of economic benefits from the proposal. It is noted however that the Officer at paragraph 7.6 deals with the issue of the racing industry which is a significant economic factor in this area. The report whilst outlining the paddocks current use fails to mention that this paddock was part of the Manor Farm Stud relocation in 2003, which involved the construction of a new stud facility to the north, just beyond this proposed development. Whilst ownerships have diverted the land is still paddock land suitable for stud use and is surrounded in stud farms.

It is noted that the houses proposed are not the result of local consultation, nor is there any link to local needs. This means there is no particular economic benefits to the village. Indeed the level of opposition suggests the development is not what the village wants or needs.

Turning to the social aspect, providing housing is positive socially but again it is noted that there is no direct link to needs in the village. Purely satisfying a district wide requirement is a weak argument as was confirmed in a recent High Court case involving a parish in Suffolk.

The NPPF talks about the need to create a high quality built environment that reflects the community's needs. In this case there is no link to any need and there is significant doubt over the impact on the built environment.

The Conservation Officer, as reported in the Officer's report, outlined that it was not possible to assess the impact on the Conservation Area and that there were serious concerns regarding the layout shown on the plans. Whilst this is an outline application Officers can demand that the layout is considered in sensitive cases. Legislation allows your Authority to request details on matters that are core to an assessment even on outline applications. In this case if the Conservation Officer has doubts over the impact on a heritage asset ie the Conservation Area, under no circumstances should planning be granted until you are sure that there is a scheme that can work if indeed there is one.

Another key issue is Chippenham has very limited services. The Officer is wrong to state that Chippenham has a farm shop as the facility is more than 2 miles from the village. The farm shop is not mentioned in the Local Plan review and is misleading that it is mentioned in the context of this application. As well as distance there are no footpaths or public transport to get to the farm shop. It should also be noted that the nearest post office to Chippenham is nearly 5 miles away (the Government aim for 99% of the population to be within 3 miles of a post office), this makes Chippenham in the worst 1%. There is no daily bus service and children have to rely on school buses with post 16 students having no direct access to public or provided transport, relying totally on private means to get to further education.

The final strand of sustainability is environmental; this aspect is to do with protecting and enhancing the natural, built and historic environment as outlined in the NPPF.

Reference to historic maps shows that the north end of Chippenham has remained barely changed in the last 150 years, a history as an Estate Village. The dwellings that are in situ e.g. no's 37 and 38 replaced former cottages that occupied the same ground. Mention is made of Scotland End and Tharp Way. However, these are set back from the High Street and didn't extend it. The Officer's comments in paragraph 7.11 are incorrect as the character of the north is not one of cul de sac roads projecting into the countryside. Scotland End is one road set back and Tharp Way accesses off New Street well away from the development.

The Trees Officer identifies the need for a tree survey and the potential negative impact of an inappropriate layout, but more importantly they have stated they have concerns regarding the impact on landscape character, which the Planning Officer has failed to address in the report. Again, you cannot grant permission where the impact on the landscape has not been addressed. There is no landscape assessment with the application and little if any information on which to take a view.'

At this point, the Chairman interrupted Mr Barrow to advise him that he had exhausted his allocated 5 minutes.

At the invitation of the Chairman, Mr Daines-Smith, agent, addressed the Committee and made the following points:

- Members should be aware that due diligence had been carried out;
- At the pre-application stage it was suggested that a much more substantial scheme could be on the land, but this scheme had been limited to 5 dwellings;
- Density would be limited;
- Change was emotive and this application had stirred emotions in Scotland End, where properties were located 35 – 55 metres from the proposed dwellings;
- The development was speculative and would set a precedent as the site was outside the development framework. However, the Council

did not have a 5 year supply of housing land and Officers considered the site to be sustainable;

- There were no policies to cover the loss of the privately owned equestrian land and there would be minimal impact on biodiversity;
- Damage to the Conservation Area was a matter of opinion, and the site was outside of that Area;
- The correct materials would enhance the appearance of the area and the site would be well screened;
- The Restrictive Covenant was not a material consideration, and covenants could be lifted;
- The access would have a direct link to the highway and a positive approach had been taken to provide an acceptable layout;
- There were no material reasons to refuse the application. Officers supported the scheme and it was to be hoped that Members would grant approval.

At the invitation of the Chairman, Parish Councillor Fiona Maxwell, Chippenham Parish Council, addressed the Committee and made the following remarks;

- She had been a resident of Chippenham for 30 years, and wished to highlight the safety aspect;
- The entrance was already the subject of concern. Traffic entered at speed and the entrance to Manor Farm was directly opposite;
- Traffic calming measures had been requested in 2014 and again in 2016 in response to those concerns;
- A working group had been set up to look at the issues around traffic in the village;
- If the members of the Planning Committee had visited the site between 7.00am and 9.00am, they would have had a better idea about the traffic;
- The site notice was not displayed 21 days before the Officer's recommendation was made, and the Local Authority was not relying on the policies in the emerging Local Plan;
- The application must be judged on the exceptions policy;
- Paragraph 216 of the NPPF gives due weight to the policies of the emerging Plan;
- This was speculative development. There was no housing allocation in Chippenham and therefore development was likely to be only in infill sites.

Councillor Maxwell then responded to comments and questions from the Committee.

Councillor Rouse asked about the Parish Council's and village's attitude to new development. Councillor Maxwell said that they were not totally opposed. The Village Vision 2013 had been delivered to every household, and the response was a general acceptance of the need to expand. However, anything too quickly or too large was not encouraged, and this proposal was outside the development envelope.

Councillor Ambrose Smith did not feel that five houses in a large village would be the end of the world, but rather that they would add to the community. Councillor Maxwell replied that Chippenham was a small village and there were better places for the development.

Councillor Cox asked if the village was fearful of development and Councillor Maxwell responded that the fear was of a speculative development that could bring more housing in the future.

At the invitation of the Chairman, Councillor Julia Huffer, a Ward Member for Fordham Villages, addressed the Committee and read from the following prepared statement:

'I am speaking to you today to ask you to refuse this application on behalf of the residents of Chippenham. This site is located on a complicated junction as you enter Chippenham, with traffic approaching from Fordham and Isleham. I'm sad to say they do at high speed and in large numbers as the road through the village is a well used rat run through to the A14 and A11.

The Parish Council has applied for traffic calming measures through the LHI bid scheme in 2013/14 and 2016 citing the speeding traffic from Fordham without success so far and an additional exit on this junction could prove to be dangerous. This is a case of the local residents knowing their village better than the highways department or our very excellent planning department. I really feel that sometimes the knowledge that the residents have can be overlooked in the planning process and this is one of those occasions.

The number of near misses and the sheer speed at which the traffic, especially HGVs, travel through Chippenham is well known by anyone living on the main road. They experience it on a daily basis and even the famous village pump was hit by a hit and run driver last week.

The addition of a possible 10 or more vehicles entering on a dangerous junction cannot be a good idea and I ask you to refuse this application.'

The Chairman queried Councillor Maxwell's remark about the recommendation having been made before the posting of the site notice and the Planning Manager replied that it was not the initial consultation. This was reconsultation on the amendment to the red line, and it was ensured that it had ended by the time the case was brought to Committee.

Councillor Rouse noted that both Councillors Maxwell and Huffer had stressed the issues with the speed and volume of traffic on the highway and

the access to the proposed site. He asked the Senior Planning Officer if there had been any objections from the Local Highways Authority and was referred to the LHA's comments on page 3 of his report. They had no objections but considered that the access arrangement was only suitable for a maximum number of 5 dwellings.

Councillor Beckett said he had no issue with the site but he was concerned about the access as he knew this road well. The indicative plan did not show anywhere that could be a safe access and for that reason he could not support approval of the scheme.

The Chairman said that as a County Council Member for this area, he could confirm that the LHI bids had been successful because of the fears that had been identified regarding traffic along the road.

Councillor Goldsack stated that he used the road 15 – 20 times per week and he too shared Councillor Beckett's concerns. He believed that if the access could have been through Scotland End, it would have been perfect.

Councillor Rouse thought the site could be well developed and Chippenham needed housing, but the site access really concerned him. He was therefore not willing to support approval because of that concern.

Councillor Hunt also supported refusal of the scheme, saying the road was dangerous. It was used as a rat run, it was near a road with a national speed limit, and there had been a number of near accidents. The site itself was good but the access was not.

Councillor Hitchin stated that he often went to Chippenham for the day; the farm shop was well out of the village and certainly not within walking distance.

It was proposed by Councillor Beckett that the Officer's recommendation for approval be rejected and the application be refused because there was no identifiable safe access to the site.

Councillor Hunt put forward a number of other reasons for refusal, but the Planning Manager cautioned Members to be consistent. She reminded them to compare this scheme to others where they had previously granted permission to applications despite there being a lack of local facilities or no community need.

In seconding the motion for refusal, Councillor Goldsack echoed previous comments about the site being suitable, but said he too could not support the scheme because of the issues surrounding access.

When put to the vote, the motion was declared carried, there being 10 votes for and 1 abstention. Whereupon,

It was resolved:

That planning application reference 17/01221/OUT be REFUSED for the following reason:

- There is no identifiable safe access to the development site.

88. 17/01231/FUM – FORMER HILLSIDE QUARRY, CORNER OF QUARRY LANE AND HEATH ROAD, SWAFFHAM BULBECK, CB25 0LU

Andrew Phillips, Senior Planning Officer, presented a report (S126, previously circulated) which sought permission for the construction of 19 dwellings with associated parking and amenity space and the retention of existing offices on site.

The application was originally for 20 dwellings but had been amended to lose one dwelling in order to overcome the highway concerns of the Highways Authority and the Case Officer. The proposal would include 8 affordable dwellings

The site was partially within the Cambridge Green Belt, adjacent to the T-junction of Quarry Lane and Swaffham Heath Road. It was located approximately half way between two sections of the village that were within the village framework. The proposed dwellings were all outside of the Green Belt, although the garden of Plot No. 19 was partially within.

It was noted that the application had been called in to Planning Committee by the Ward Member, Councillor Allen Alderson; his comments were set out on page 3 of the Officer's report.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the layout of the proposal, elevations and the street scenes.

Members were reminded that the key issues for consideration in the determination of this application were:

- Principle of Development;
- Visual Amenity and Heritage;
- Residential Amenity;
- Highways and Parking;
- Affordable Housing and Housing Mix; and
- Education Requirement.

The Senior Planning Officer reiterated that as the Council was currently unable to demonstrate an adequate 5 year supply of land for housing, the presumption should be in favour of sustainable development. If granted approval, the site would partially infill a gap between two different elements of the village. The site was considered to be in a sustainable location with relative ease of access into the main part of the village.

Only a parking area, boundary fencing and part of the existing office building would be located within the Green Belt and considering the existing brownfield nature of the site, it was not considered that the scheme would significantly impact on the Green Belt.

In terms of visual amenity, it was considered that the proposal was a good example of contemporary design with changes in form, design flourishes and materials providing visual interest. This created a very high quality design and was backed up by the material selection, which weighed heavily in favour of the application. However, the density of the site was considered to weigh against the proposal as it was significantly denser than the nearby dwellings, as terraces and semi-detached dwellings were proposed.

Gaps between the dwellings would help to retain the countryside views and landscaping could be used to soften the development. It was considered that the urban built frontage of the proposed development would be at odds with the existing village edge site, but Officers believed that the benefits of the design would outweigh the concerns.

With the siting of the proposed dwellings it was considered that there would be no detrimental impact to the residential amenity from the completed dwelling units. The design and proposed fenestration pattern would ensure that there was no unacceptable overlooking or overbearing impact.

The existing office building on site was not expected to create any undue disturbance to the future potential residents due to its B1 use and any unexpected noise issues could still be covered under Environmental Health legislation. Any permitted change of use could be restricted by condition.

The Conservation Officer had not objected to the scheme as it was not considered to cause any noticeable harm to the historic quality of the area. Whilst the loss of the two clunch buildings on site weighed against the application, minimal weight was placed on this as they were not protected under any planning legislation.

It was noted that the amendments to the proposal had overcome the Local Highways Authority's objection and the requested conditions could be duly added to any consent. The scheme would provide 2 car parking spaces per dwelling and adequate turning.

The visitor parking would provide 19 office parking spaces that could be used for anyone although this was likely to be outside of office hours. A condition would be added to remove boundary rights in order to ensure that gates could not be erected.

Speaking next of affordable housing and the housing mix, the Senior Planning Officer stated that the developer would provide 8 affordable dwellings out of 19, which equated to 42%; this exceeded policy requirements. While the proposal was not a 70/30% mix between rented and shared ownership, it was considered that the provision of 8 affordable dwellings outweighed this on this occasion.

The housing mix was 8 two beds, 8 three beds and 3 four beds. While there were no 1 bed properties, it was considered that on a scheme of this size the developer had provided a good mix of housing types to cover the range of people who would wish to live on the site. It was also to be noted that there would be no difference in design between the affordable and market housing.

Members noted that the proposal for 19 dwellings was unlikely to put a large burden on the local schools. The requirement to pay for the provision of 3 secondary school children spaces is potentially on the high side and a contribution of £69,999 might impact on affordable housing provision. This would be the subject of ongoing discussions with the developer.

At this point the Chairman said he had just become aware of a potential conflict of interest and he would therefore leave the Chamber before the discussion and voting took place on this item.

Councillor Schumann left the Chamber at 12.15pm and Councillor Rouse assumed the Chair.

At the invitation of the Chairman, Mr Edward Bidwell, agent addressed the Committee and made the following points:

- He was representing De Sangosse, the owners of the site;
- This brownfield site was a former quarry;
- At the pre-application meeting in April 2017 he had responded to comments and recommendations, and as a result the proposal had now been amended to 19 units;
- The development would be a modern contemporary design with more than 40% affordable housing;
- The office building and employment on site would be retained;
- Swaffham Bulbeck was fully sustainable and the site had good connectivity with the village;
- At present the area of the site was unkempt and vacant, but after it had been developed, there would be a strong frontage to enhance the gateway to the village;
- The Parish Council had been consulted;
- This scheme was developable and deliverable.

In response to a query from Councillor Beckett, the Senior Planning Officer clarified that there would be gables to gables rearwards with others being more horizontal.

Councillor Edwards was concerned about the lack of parking and that visitors would have to rely on the business being closed, so that those parking spaces could be used. The Senior Planning Officer replied that a balanced view had been taken and it was expected that most visitors would be outside of office hours.

At the invitation of the Chairman, the Ward Member, Councillor Allen Alderson, addressed the Committee and made the following comments:

- This was overdevelopment of the site and it would not accord with the existing street scene. The development would be better suited elsewhere;

- There were too many houses on the site and no variety of design;
- There was no parking provision for visitors;
- It would be out of keeping with the density and character of the area;
- The emerging Local Plan stated that the design of the houses should be in keeping with their rural location and the remains of clunch buildings should, if possible, be incorporated into the overall design of the development;
- The Trees Officer said the development was too dense and the overall character of the area would be impacted. A less urban design should be sought;
- The Conservation Officer said the current proposal was overdevelopment of the site and the loss of the clunch buildings was disappointing.

Councillor Ambrose Smith felt that views on design were a very personal thing and she personally liked modern designs. At the moment the site was scruffy little corner, but the proposal would enhance it. The scheme would provide affordable homes and she was pleased to see that they would be of a similar standard and design to the other dwellings on the site. Whilst parking could be an issue she believed it was an attractive proposal.

Councillor Edwards disagreed, saying that the development was too dense and in a prominent position; she believed the scheme would be better placed lower down the road.

Councillor Hunt thought this to be an exciting proposal. Taking into account the extensive road frontage, there would be a lot less pressure on the site and it would avoid tandem parking. The access would be good, the site would not be cramped and there would be a mix of house sizes in the affordable section.

Councillor Goldsack said that if Members had not visited the site, there might be a different outcome to this application. He could see no positive or negative comments from the Parish Council and he was minded to agree with the views expressed by Councillors Ambrose Smith and Hunt. He thought this was a good development and he was in favour of approval.

Councillor Alderson interjected to say that it was a matter of record that the Parish Council had responded negatively and the comments were on the website.

Councillor Beckett thought there were some negatives as well as positives to this application. However, the site was on a back road and it was accepted that density became higher as one got closer to Cambridge. On balance he believed there was a need for this development and he would therefore support approval.

There being no further comments or questions, it was proposed by Councillor Hunt and seconded by Councillor Ambrose Smith that the Officer's recommendation for the Planning Manager to be given delegated authority to approve the application be supported.

When put to the vote, the motion was declared carried, there being 7 votes for and 3 votes against.

It was resolved:

That approval of planning application reference 17/01231/FUM be delegated to the Planning Manager, subject to the completion of a S106 (affordable housing and potential education requirement) and the conditions as set out in the Officer's report (with any minor changes to the conditions delegated to the Planning Manager).

Councillor Schumann returned to the Chamber and reassumed the Chair at 12.39pm.

89. 17/01239/FUL – LAND OPPOSITE 5 MOOR ROAD, FORDHAM

Gareth Pritchard, Planning Officer, presented a report (S127, previously circulated) which sought outline permission for a single storey residential dwelling, garage and storage barn with some matters reserved except access and scale.

The site was located outside of the established development framework for Fordham, approximately 850 metres to the north of the development framework when accessed via Moor Road. The area was characterised as being primarily countryside in nature with agricultural fields either side of the highway. The site itself appeared to be formally part of an agricultural field but it had been cleared to delineate the plot in question.

It was noted that the application had been called in to Planning Committee by Councillor Derrick Beckett; the reason was set out in paragraph 2.2 of the Officer's report.

A number of illustrations were displayed at the meeting. They included a map, an aerial image and an outline indicative of the layout.

The Committee was reminded that the key considerations in the determination of this application were:

- Principle of Development;
- Visual Amenity;
- Residential Amenity; and
- Highway Safety.

The Planning Officer said that Members were well versed as to why such a site by virtue of its isolation and distance to main settlements was considered to be unsustainable and he would therefore not dwell on this.

It was noted that the application had not been made for an agricultural worker's dwelling. The applicant had submitted a statement advising that he would be happy to accept an agricultural tenancy condition. However, no supporting documentation had been provided and the application was being assessed purely as a market dwelling.

With regard to visual amenity, the site was in an open agricultural field and the proposed development was considered to result in an unacceptable hardening of the landscape. It would materially alter views into the village and would fail to create a positive or complementary relationship with the surrounding area.

The indicative layout showed additional planting, but as this was outside of the red line it could not be conditioned. It appeared that weight had been placed on landscaping and screening the proposed development from the surrounding area. Officers considered that this emphasis sought to 'hide' the development and highlighted that it was an unacceptable scheme, given its local context, and landscaping/screening could not be used to make an unacceptable development acceptable.

Due to the location of the proposal in relation to neighbouring dwellings it is not considered that it would cause a significant loss of privacy for neighbouring properties or have a significant impact through loss of light or by being overbearing. As a result, the application was not considered to result in a significantly detrimental harm to the residential amenity of nearby occupiers or future occupiers that could not be addressed at reserved matters.

The Local Highways Authority had been consulted as part of the application and raised objections as the applicant did not have enough land within their ownership to provide adequate visibility splays for the proposed development on a 60mph road. The applicant had proposed a passing place which, while the LHA acknowledged was an improvement, it did not overcome their objections.

While the proposal would bring the benefit of an additional dwelling to the District's housing stock, it was considered that this would be outweighed by the significant and demonstrable visible harm and by the siting of an additional dwelling in an unsustainable location. The applicant had also failed to demonstrate that a safe and convenient access to the public highway could be provided.

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

- His client had lived there for the majority of his life and took over the tenanted farm in 1989;
- His 18 year old son joined the farm full time in 2016;
- The applicant was approaching retirement age and would have to relinquish the tenancy when he reached 65;
- This would mean him having to find an alternative farm and it would be ideal if he could continue to live and operate a business in Moor Road;
- Mr Boon had been made aware of the Council's position regarding the lack of a 5 year supply of housing land;

- This was sustainability in reverse. He would not need to use a vehicle to get to work and he would be retaining his business;
- The application was not for an agricultural dwelling but Mr Boon would accept this;
- He had agreed to maintain the existing landscaping and would also provide additional landscaping;
- A previous application in Moor Road had been approved, the Speed Survey submitted with that showing the average speed to be 30mph;
- The longstanding verges were not public highway;
- To the north was outside of his client's contract. The road gave access to New Farm and was used very infrequently, with there being less than 50 movements per day;
- The passing place could be a planning gain.

Councillor Rouse asked if this was a 'no through' road and Mr Fleet replied that it lead only to two farms and arable fields.

Councillor Hunt enquired whether Mr Boon needed to be on the farm to tend to livestock and Mr Fleet said he did not, but was intending to go into cattle.

At this point the Chairman read out the following brief statement for Parish Councillor Malcolm Roper, Fordham Parish Council:

'Fordham Parish Council agree this application as it stands be refused.

The application is in the countryside which results in a totally unacceptable development well outside the village framework.

Without an agricultural restriction this is a speculative development which is unacceptable in this location of open arable fields.'

At the invitation of the Chairman, Councillor Julia Huffer, a Ward Member for Fordham Villages addressed the Committee and made the following points:

- She supported approval of the application as she believed it had the same merits as Agenda Item 6;
- The Parish Council did not object in principle but would like an agricultural restriction applied if the application was granted permission.

Councillor Hunt asked if it would be possible to tie the proposal to agricultural use as he believed it would bring a different outcome if this could be done. The Chairman thought it might be hard to build a case because of the tenanted use, but the Planning Manager said that it could be tied to an agricultural workers dwelling. However, essential use would have to be proven.

Councillor Beckett commented that with Council holdings, the more recent lifetime tenancies meant that the tenant had to retire at 65. The applicant had lived there since he was 8 years old, he was part of the community and he owned substantial acreage which would enable him to continue farming.

Councillor Rouse said he concurred with Councillors Hunt and Beckett's comments and he fully supported Mr Fleet's remarks. This proposal would be more sustainable and bore similarities to Agenda Item No. 6; the application should be allowed.

Councillor Goldsack said he knew this area well and while there was no livestock, having farm machinery on a remote base raised the risk of theft. There was also the potential for hare coursing. The Parish Council had put forward nothing negative and the Ward Member was in favour of approval, and he himself agreed with the imposition of an agricultural restriction.

It was duly proposed by Councillor Hunt and seconded by Councillor Rouse that the Officer's recommendation for refusal be rejected and the application be granted approval. When put to the vote,

It was resolved unanimously:

That planning application 17/01239/OUT be APPROVED for the following reasons:

- Members believe the Highway Authority's holding objection to be academic as an amended plan with a passing place has been provided to the LHA;
- The Applicant's agent states that a speed and volume count has been provided for another application situated on Moor Road which indicates that cars travel at 30mph;
- Members believe the application is reflective of the agricultural landscape; and
- That the application site is sustainable.

It was further resolved:

That the Planning Manager be given delegated authority to impose suitable conditions, including a condition restricting the occupancy of the dwelling to agricultural use.

90. 17/01260/OUT – LAND ADJACENT 21–23 IRONBRIDGE PATH, FORDHAM

Gareth Pritchard, Planning Officer, presented a report (S128, previously circulated) which sought outline planning permission for access, scale and layout for four dwellings, garaging, parking, access and associated works. Appearance and landscaping would remain reserved matters.

The site was located outside of but adjacent to the established development framework which ran to the south and west of the site. It was in use as a paddock and the highway to the south was unadopted and formed part of a public byway, which started at 15 Ironbridge Path.

It was noted that the application had been called in to Planning Committee by Councillor Schumann; the reason was set out in paragraph 2.2 of the Officer's report.

A number of illustrations were displayed at the meeting, including a map, an aerial image and the access, layout and scale of the proposal.

The Committee was reminded that the key considerations in the determination of this application were:

- Principle of Development;
- Visual Amenity;
- Residential Amenity;
- Highway Safety; and
- Ecology and Trees.

Given its close proximity to the established development framework for Fordham, the site was considered to be within a sustainable location. Members noted that two dwellings had previously been permitted on the site between No's 15-21, following the linear pattern. This application was therefore being viewed as two additional dwellings above those previously approved.

The two previously approved dwellings were considered to be acceptable as they generally followed the pattern of development fronting Ironbridge Path. However, Officers considered that the layout of this proposal presented a contrived layout with plots 2-4 surrounding No's 21-23, contrary to the linear nature of development.

The site was on the transition between the urban and rural and had no particular physical or visual affinity with the existing pattern of development and it represented a large scale backland development.

It was noted that due to the location of the proposal in relation to neighbouring dwellings it was not considered that it would have a significantly detrimental impact on residential amenity. The layout demonstrated that acceptable distances to boundaries and neighbouring properties could be achieved with distances exceeding those required within the design guide SPD. As such, the application was considered to comply with Policy ENV2.

The Local Highways Authority had not objected to the principle of the application. As the proposed estate road did not adjoin the public highway and the existing section of Ironbridge Path was not adopted or to an adoptable standard, they would not seek to adopt the new estate road. The layout showed adequate parking at the dwellings for two motor vehicles and the proposal and therefore complied with Policy COM8.

The maintained paddock was not considered to have a large ecological value and the proposal would have limited impact to the existing boundary vegetation. Biodiversity enhancements could be secured by conditions and it was noted that the Trees Officer raised no objections.

With regard to the planning balance, it was considered that although the proposal would provide two additional residential dwellings beyond that already approved, this would not outweigh the significant and demonstrable visual harm which would be caused to the character of the area by a contrived layout.

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

'My name is Gavin Jackson and I am here to represent the residents of Ironbridge Path who strongly object to the proposed development for the following reasons.

The addition of the dwellings in the paddock off of this single dirt track would break from the existing line of homes and surrounding numbers 21 and 23. The proposed houses would be completely out of character to the existing homes along Ironbridge Path and result in significant loss of privacy to residents.

This development would simply be backfilling into open countryside. These areas of open countryside in our village are considered the lungs of the village and includes a network of public footpaths which run alongside and nearby. This area is a highly prized village amenity enjoyed by large numbers of us for recreational and practical purposes. With the current developments planned behind Scabious Gardens and Scotsdales, together with other development plots on Market Street, there will be an additional 175 dwellings using Ironbridge Path as the main pedestrian thoroughfare across the village to access the school, shops, recreation area and other amenities.

This area of open country side has always been considered significant to the character of our village and has therefore always been kept outside of the development envelope. We understand the current housing challenges faced by our council but the loss of this beautiful and open countryside would surely be a disproportionate price to pay for a further four unaffordable executive dwellings which bring minimal long-term value to our village in terms of our real housing needs.

We also have genuine concerns over the safety of pedestrians using Ironbridge Path due to the narrowness of the track and vehicles subsequently damaging the footpath safety rails whilst trying to negotiate the track.

I have recent correspondence from the County Council Highways Department stating that they are unwilling to repair the footpath or rails due to the ongoing building work. On this particular point, I am personally alarmed that private building works are influencing County Council decisions on our footpath maintenance and safety. Secondly, that this acceptance by the County Council that this footpath and safety railings will inevitably be damaged during proposed building works indicates an unsafe situation for pedestrians.

Ironbridge Path does not enjoy standard refuse collections due to the narrow width and there are questions over whether modern emergency service vehicles could access the residential part of the track if required.

I would like to thank the committee for allowing me to speak and also visiting the site which I hope gave you a strong understanding and appreciation of the reality of the track and this particular location.'

The Chairman said that in his capacity as a County Councillor he would be keen to see the correspondence from the Highways department, and he would try to help where possible.

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

- This proposal was not dissimilar to the one for Stetchworth;
- The Council could not demonstrate a five year supply of housing land and therefore the presumption should be in favour of sustainable development;
- The application site was within the built form but outside of the development envelope and it accorded generally with the Design Guide SPD;
- The location was well located to services and facilities, and the density would be 5.2 dwellings per hectare;
- There were buses to Newmarket, Cambridge and Ely;
- The site was sustainable;
- The private road up to the adopted highway would be updated;
- The private road did not benefit from a turning head, but the proposal would provide a closer turning head with increased width at No.1;
- The Local Highways Authority had made no comment apart from the unadopted road;
- The only reason for refusal seemed to be harm to the character of the area. This wrapped around the boundaries of the development and tried to act as a transition.

Councillor Hunt asked a number of questions of Mr Fleet. He wished to know if there would be a parking bay in front of No. 1 and Mr Fleet replied that it was not on the plan, but it would be widened to create one.

Councillor Hunt next asked if the road down to the site would be tarmacked as far as No. 20. Mr Fleet said it would reach to the boundary of No. 15; the other users of the road would be able to use the turning head in the fullness of time.

In response to a question from Councillor Goldsack, Mr Fleet confirmed that tarmac would be applied to the road from the red line.

At this point, the Chairman read out the following prepared statement on behalf of Parish Councillor Malcolm Roper, Fordham Parish Council:

'The Fordham Parish Council totally endorse and support the reasons for refusal stated by Gareth Pritchard, the Planning Officer.

In addition, the Parish Council would add that since the consultation period this site is not included in the development envelope proposed for the Local Plan which is to be discussed by Council tomorrow.

The Parish Council remind the Committee Members, which you would have already seen on your site visit, that the proposed access is from a very unsatisfactory unmade road serving presently 9 dwellings mainly built some time ago. With the addition of 3 further dwellings with planning approval but not yet constructed would result in this track having to serve 12 dwellings.

Today, the Highways Authority would only accept 5 dwellings off a private road.

If permitted this track would be serving 14 dwellings and the Highways Authority have stated that the new access serving the proposed development would not be adopted.

The visual impact of this development, if allowed, would be overpowering and destroy this pleasant area of Fordham's adjacent open fields.

Fordham Parish Council totally support the many objections of the residents and ask the Committee to refuse this application.'

At the invitation of the Chairman, Councillor Julia Huffer, a Ward Member for Fordham Villages, addressed the Committee and read from the following prepared statement:

'I am speaking to oppose this application which has caused so much concern among the residents of Ironbridge Path. When the original application was approved it was done so because the two houses followed the line of the existing houses. I was against the original application as this particular road is actually more of a track and I would ask the Committee to consider that should any of the existing houses come before them to be built under current planning guidance, the answer would probably be no. However the planning guidelines were different 50 years ago when 7 of the 8 houses were built. To add two further houses in this already cramped area is a bad idea, residents already struggle with parking and when you visited this site yesterday it was a dry day; imagine the same track in the middle of winter and with 8 or more additional cars using the same track.

The footpath which runs alongside is used year round by people of all ages to access the centre of the village, additional traffic will just mean increased danger for the old and young alike. The two additional units do not benefit the village, how many 4/5 bedroom executive style houses does one need? In fact in a 5 house development offering similar houses not half a mile away, two remain unsold.

Fordham will deliver 325 houses as per the new Local Plan. We do not want or need these two, so I ask the Committee to heed the residents of Ironbridge Path who, to a man, all attended the recent Parish Council meeting to ask for our support as I am now asking for yours. I would ask you to refuse this application.'

Councillor Smith did not think this to be a suitable location for the development and he said that Members should listen to the local residents.

Councillor Beckett thought putting down tarmac and widening the road would make matters worse. The Planning Officer responded, saying that at the moment there was no room to turn a vehicle, but Andrew Fleet had advised the proposed estate entrance could act as a turning head. Councillor Beckett continued, saying that approval had been given for two dwellings between No's 15 and 21 and there could be another one beyond that. There were many large estates going in at Fordham, but not larger houses. He could see no problem with continuing linear development and cutting off the back land.

In response to a question from the Chairman, the Planning Manager stated that it could be conditioned that the road just be tarmacked and not widened.

Councillor Hunt thought it was a question of balance and he was pleased that this application had the involvement of one of the local Members. Here was a lovely garden area, a green lung near the centre of the village, and the permission for the two already approved dwellings was enough. The Committee should listen to the views of the District Members; this proposal was too much and should be refused.

The Chairman said he had called in the application as he felt it fell into a 'grey area' of planning. This was what the Committee was for, and he himself had not expressed any opinions.

Councillor Goldsack said the pathway was a hotbed for walkers. It was so narrow that refuse trucks could not access it, and granting permission would have a major impact.

Councillor Cox agreed, adding that not only was the path too narrow to get vehicles down there, but the top end would be unsuitable for construction vehicles.

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

When put to the vote, the motion was declared carried, there being 8 votes for, 1 vote against and 2 abstentions. Whereupon,

It was resolved:

That planning application 17/01260/OUT be REFUSED for the reasons given in the Officer's report, and for the additional reason:

- The access to the application site is inadequate and unsatisfactory.

The Chairman adjourned the meeting at 1.26pm.

When the meeting reconvened at 2.00pm, the Chairman explained the public speaking scheme for the benefit of those who had not been present at the morning session of the Committee.

91. 17/01279/OUT – LAND ADJACENT 51 HASSE ROAD, SOHAM

Gareth Pritchard, Planning Officer, presented a report (S129, previously circulated) which sought outline planning permission for a single dwelling with a garage and associated works. Scale and access formed part of the application, with appearance, landscaping and layout to remain reserved matters.

On a point of housekeeping, Members were asked to note that paragraph 1.1.4 was a reason for refusal based on trees. The applicant had submitted additional information relating to this and the Trees Officer had removed their objections to the scheme. Therefore this reason for refusal was being withdrawn.

The site was located 1.65 miles from the edge of Soham's development framework and a further mile from the main facilities and services found in the town centre. It was in Flood Zone 3 considered to be in a countryside location.

It was noted that the application had been called in to Planning Committee by Councillor Carol Sennitt; the reason was set out in paragraph 5.1 of the Officer's report.

A number of illustrations were displayed at the meeting. They included a map, an aerial image of the site and an indicative layout of the proposal.

The Committee was reminded that the key considerations in the determination of this application were:

- Principle of Development;
- Flood Risk;
- Visual Amenity;
- Residential Amenity;
- Highway Safety; and
- Other Matters.

With regard to the principle of development, the Planning Officer said that Members were well rehearsed in the reasons as to why sites such as this one, by virtue of their isolation and distance to main settlements, were considered to be unsustainable. This was also in line with recent Planning Inspector decisions. Whilst the dwelling would provide a small contribution to the five year land supply shortage, there were a number of sites within Soham which were in a more sustainable location or could be windfall sites.

Speaking of flood risk, Members were reminded that the Sequential Test required the Planning Authority to direct residential development to areas of low flood risk. This development was not considered necessary as there were other sites available for the erection of a single dwelling within the Parish of Soham which were at lower risk of flooding.

The application failed to demonstrate that the dwelling would provide wider sustainability benefits to the community that outweighed the flood risk and it therefore failed Part 1 of the Exception Test. The environment Agency had advised that they had no objections to Part 2 of this Test, providing conditions were applied. However, as the proposal had failed the sequential test, it was considered to unnecessarily place a dwelling in an area at significant risk of flooding and was contrary to Policy ENV8.

In connection with visual amenity, it was noted that the proposed dwelling was within a small cluster of development and the surrounding area was generally devoid of development. However, what development there was, was generally found on the same side of the road as the application site. While there was a hedgerow and trees to the south which would offer partial screening to the proposal, it was considered that the development would result in a hardening and urbanisation of the landscape.

Due to the location of the application site in relation to neighbouring dwellings, it was not considered that it would cause a significant loss of privacy that could not be dealt with at the reserved matters stage. While layout was a reserved matter, the indicative plan had demonstrated how the dwelling could be situated so as to ensure that it was not overbearing or cause a loss of light. As a result, the application was not considered to result in a significantly detrimental harm to the residential amenity of nearby occupiers or future occupiers that could not be dealt with at the reserved matters stage.

The addition of a single dwelling would not compromise the safety and usability of the road and the plot had sufficient manoeuvring and parking space. The Local highways Authority did not object to the principle of the application but had requested a number of necessary conditions which could be attached to any approval.

Additional arboricultural information had been submitted to the Trees Officer and this was circulated to Members. The Trees Officer confirmed that he was happy with the information provided subject to appropriate conditioning, and his reason for refusal as set out in paragraph 1.1.4 was being removed. The application was therefore considered to comply with policy ENV7.

In respect of the planning balance, the Planning Officer said that although the District would benefit from an additional residential dwelling to its housing stock, this would be outweighed by the significant and demonstrable visual harm and by the siting of an additional dwelling in an unsustainable location. Further harm would be caused by the increased risks as a result of an additional dwelling within Flood Zone 3 despite there being reasonably available sites elsewhere with a lower probability of flooding.

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

- A letter from the applicant had been tabled at the meeting;
- This was a similar situation to Great fen Road and Chapel Lane;

- The Council could not demonstrate an adequate 5 year supply of housing land and therefore the presumption should be in favour of sustainable development;
- This area was known as Soham Fen;
- The application was being recommended for refusal on the grounds of unsustainability;
- The NPPF put forward three elements to sustainability. One of these was social and the need for strong, healthy development;
- Not everyone wanted to live in an urban environment and those who didn't, would understand country living;
- The school bus collected and returned children each day;
- Return trips to the proposal would be minimal;
- Only limited weight could be given to current policies;
- In an appeal case at Forest Heath District Council the Inspector had made the point that people in rural areas did not have the same choices regarding travel as those living in urban areas;
- A Flood Risk Assessment had been submitted with the application. The dwelling would be at the specified floor level and the Environment Agency had accepted this;
- This was only an outline application, so there would be discussions at reserved matters;
- The proposed site was in a part of a large paddock, so the dwelling could have a large garden and it would be well screened;
- The applicant was prepared to reinforce planting to maintain the screen;
- His clients were foster carers and this could improve their environment.

Councillor Rouse reiterated the need for Members to be consistent in dealing with this area. There had been no objections to the application and he believed the location would be suitable for those who understood that it was rural; he would support approval of the scheme.

Councillor Beckett, having noted that the neighbouring properties were set back from the road, said the proposed dwelling would have been better set back. He thought its current position would make it overbearing.

Councillor Hunt felt that the proposed dwelling would have an urbanising impact on the visual amenity of the location, and he also believed the poor state of the road made it unsustainable.

The Chairman stressed that Members should be consistent and judge the application on its own merits. The Planning Manager added that the

scale had yet to be determined and the siting of the dwelling could be changed although it would be restricted to the red line.

Councillor Hunt commented that the Parish Council did not appear to be in favour of the proposal, and there was nothing from Councillor Sennitt apart from having called the application in to Committee.

The Planning Manger reminded Members that the siting of the dwelling was a reserved matter, as was scale. If they decided that it needed to be moved back, they would also have to consider whether there was enough amenity space.

In response to a comment from Councillor Goldsack, the Planning Officer repeated that the layout was only indicative. As currently proposed, it was in line with the built form on Hasse Road.

It was proposed by Councillor Beckett and seconded by Councillor Hunt that the Officer's recommendation for refusal be supported. When put to the vote, the motion was declared carried, there being 6 votes for and 5 votes against.

It was resolved:

That planning application 17/01165/OUT be REFUSED for the reasons given in the Officer's report.

92. 17/01326/OUT – LAND ADJACENT TO NO. 2 MARKET WAY, WITCHAM, CB6 2LP

Gareth Pritchard, Planning Officer, presented a report (S130, previously circulated) which sought outline permission for a two storey dwelling, cart lodge and associated works with access and scale to be determined at this stage.

The site was located some 330 metres outside of the established development framework for Witcham. It was an open field which appeared to be primarily separated from 2 Market Way by a close boarded fence but had a residential amenity appearance with residential paraphernalia contained within the site at the point of the site visit.

It was noted that the application was called in to Planning Committee by Councillor Ian Bovingdon; the reason was set out in paragraph 2.2 of the Officer's report.

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

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

- Principle of Development;
- Visual Amenity;
- Residential Amenity;

- Highway Safety; and
- Ecology.

The Planning Officer said that with the application site being outside the defined development boundary and along an unadopted road with no street light and designated footpath, the Committee would understand why it was considered to be unsustainable. This was in keeping with other Planning Inspector decisions, and formed a material consideration to be given significant weight in determining the application.

The dwelling would be set alongside the existing dwellings and to a certain extent it would have an urbanising effect on the landscape. It would be visible from the public right of way and from the A142, but due to the plot size and scale of the dwelling, there would still be views of the landscape beyond. On balance, while there was a considered harm through the urbanisation of this open field, it was not considered to have a significant and demonstrable harm on its locale.

Due to the location of the proposal in relation to neighbouring dwellings, Officers did not think that it would have a significantly detrimental impact on residential amenity. While layout was a reserved matter, the indicative plan had demonstrated how the dwelling could be situated so as not to be overbearing or cause loss of light. The application was therefore broadly considered to comply with the residential amenity aspect of Policy ENV2.

With regard to highway safety, it was noted that the Local Highways Authority did not object to the application. It was felt that the addition of a single dwelling would not compromise the safety and usability of the right of way, but there were concerns regarding pedestrians using the right of way with no street lighting; conditions had therefore been recommended.

Members noted that an Ecological Appraisal had been submitted with the application and it concluded that the proposal was not considered to have a detrimental impact on ecology. Any mitigation and enhancements measures could be secured by way of planning conditions.

In terms of the planning balance, the Planning Officer said that while the District would benefit from an additional residential dwelling to its housing stock, this was outweighed by the significant and demonstrable harm which would be caused by the siting of an additional dwelling in an unsustainable location. The application also failed both the Sequential and Exceptions tests; it was therefore recommended for refusal.

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

- The Council could not demonstrate a five year supply of housing land and presumption should therefore be in favour of sustainable development;
- The site was outside the development framework but it was adjacent to and near two dwellings, so was not isolated;

- Two families would be responsible for making up the surface of the track;
- This application bore little difference to Agenda Item No. 19
- The corner of Market Way was deemed to be sustainable and there would be a minimal increase in traffic;
- Byway 13 was sufficiently well connected that there would not be a reliance on the use of a car to access services;
- The existing access to Market Way could be conditioned;
- He believed the application was in a sustainable location and should be approved.

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

- This application had been called in by someone who was not a Ward Members. She and Councillor Bradley had made a conscious decision not to call in the application;
- The Parish Council always worded their response in this way;
- It was important that Members had visited the site;
- This was an ancient rural location and the development would cause urbanisation of the open countryside;
- A neighbour had objected to the proposal. Their comments were summarised in paragraph 5.2 of the Officer's report;
- The Parish Council's view was important. They wanted to retain the character of that part of the village and not have a route in or out of Witcham;
- This location was unsustainable and there was no easy footpath;
- The County Council's Map Team had some very significant concerns outstanding;
- She supported the Parish Council's views.

Councillor Hunt said he found it surprising that a call in had come from outside of the Ward. However, the site would intrude into the open countryside; there were no street lights and it would be illegal to alter the surface of the byway. Comparisons could not be drawn with any of the other planning applications. This proposal was against the wishes of the Parish Council and one of the Ward Members, and it should be refused.

Councillor Smith agreed, saying that note should be taken of local opinion.

Councillor Rouse thought it right that the application had been called in to Committee. The two existing large houses brought Market Way to a conclusion and this was a step too far. He supported the recommendation for refusal and thanked the Planning Officer for a fair and concise report.

Councillor Goldsack agreed with Councillor Rouse, saying that the views of the countryside at the location had been stunning. The big two houses brought the byway to an end and there should be nothing permitted beyond them.

The Chairman echoed those comments, adding that to his mind this was an example of 'mission creep'. He did not believe the proposal to be a natural extension to the byway

It was proposed by Councillor Hunt and seconded by Councillor Austen that the Officer's recommendation for refusal be supported, with an additional reason for refusal being impact on the open countryside.

When put to the vote,

It was resolved:

That planning application 17/01326/OUT be REFUSED for the reasons given in the Officer's report, and for the additional reason:

- Impact on the open countryside.

93. 17/01362/FUL – SIDINGS FARM, ELY ROAD, PRICKWILLOW, CB7 4UJ

Oli Haydon, Planning Officer, presented a report on behalf of the Case Officer (S131, previously circulated) which sought permission for the erection of a two storey detached dwelling adjacent to the existing dwelling at Sidings Farm.

On a point of housekeeping, Members were advised that a Topographical Survey had been submitted to the Authority on 29th September, in order to overcome the Environment Agency's objections. However, there had not been enough time to consider the information before today's Committee meeting.

It was noted that the application site was located 600 metres outside of the designated development envelope of Prickwillow, and as such was considered to be a countryside location.

The application had been called in to Planning Committee by Councillor Lis Every on the basis that the house was an additional property which would allow agricultural usage to support the running of the farm. Precedent for this type of dwelling had already been set in other locations where similar applications had been passed by Committee.

A number of illustrations were displayed at the meeting. They included a map, an aerial image of the location, and the layout and elevations of the proposal.

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

- Principle of Development;
- Residential Amenity;
- Visual Amenity; and
- Flood Risk.

In connection with the principle of development, the Planning Officer said that as Members were already well versed in the matters relating to sustainability, he would not go into them in detail.

Public transport links were poor and this would mean future occupiers of the proposed dwelling would have to rely on the use of a car to access basic services. The public highway between the site and Prickwillow did not benefit from pedestrian footpaths or street lighting, and therefore any person choosing to walk between the site and the village would have little choice but to walk on the public highway.

Speaking next of residential and visual amenity, the Planning Officer said there was likely to be a loss of amenity to future occupiers of the property due to farm activity at the site; furthermore, the presence of a dwelling could lead to restrictions being placed on the existing farm activities. It was considered that the siting of this dwelling would cause significant and demonstrable harm to the character of the countryside. The addition of boundary fencing treatments would increase the visual impact of the dwelling and contribute to the urbanisation of the area.

The visual harm weighed against the proposal to the extent that it would significantly and demonstrably outweigh the benefits of an additional dwelling for the Council's housing stock.

Members noted that the site was located in Flood Zone 3. The Environment Agency had been consulted on the Flood Risk Assessment (FRA) submitted with the application, and had objected to the proposal on the basis that the FRA did not comply with the requirements set out in paragraph 102 of the NPPF.

It was considered that the application had not met the Sequential Test as there were other reasonably available sites elsewhere with a lower probability of flooding.

At the invitation of the Chairman, Mr Beel, agent, and Mr Hopkins, applicant, each addressed the Committee and made the following remarks:

Mr Hopkins:

- He wanted to build the house for himself. His son worked part time on the farm, and gave much needed help. He was keen to get his own property and if the application was approved he could have the old house;

- At the moment his son was living outside the village;
- He had seen the village disappearing over the years and people now had to use Ely for goods and services.

Mr Beel:

- There were river defences for the Ouse and Lark, to a 1:100 year standard, and this met the requirement of the NPPF;
- Other sites in Prickwillow had been approved with mitigation;
- The Environment Agency objection was based on a breakdown of communications. The site survey was submitted in the last week of September and the information requested was only forwarded yesterday (3rd October);
- The survey showed that the area could flood to a height of 1 – 2 metres. The proposal would still be about 300mm above the carriageway and the floor levels would be as high as possible;
- This proposal was in keeping with other approvals and other sites available in Ely was not a consideration.

The Chairman reiterated that as the information had been submitted late, it was not possible for Members to consider it, and he asked Mr Beel if his client would be happy for the application to be deferred until Members had all the information. The Planning Manager interjected to remind the Committee that the five year housing supply window would close on 5th October. The Chairman responded, saying that if the dwelling was linked to business use, then there would not be a problem. The Planning Manager replied that Officers had been advised that the applicant did not want to put the proposal forward as a business case.

In response to a question from Councillor Ambrose Smith, Mr Hopkins confirmed that the new dwelling would be in front of the barn. She then asked if this would not be overbearing and the Chairman said that residential amenity would be for Members to decide.

At the invitation of the Chairman, Councillor Richard Hobbs, a Ward Member for Ely East addressed the Committee and made the following points:

- He supported the application because he believed it was very important that rural life in the Fens should be savoured and retained;
- He thought the reasons for refusal were somewhat of a joke, because in that case only Ely would be sustainable;
- This was a family business and it needed support otherwise it would die;
- The City of Ely Council supported the application and would be content with an agricultural restriction, if the case was resubmitted.

At the invitation of the Chairman, Councillor Derrick Beckett addressed the Committee and made the following comments:

- He had a prejudicial interest in this proposal because the applicant had been known to him for many years and today he was speaking for him;
- Mr Hopkins' home was sinking and needed to be replaced. To do this he would have to move off the site and this would compromise the security of his business;
- He had a great deal of machinery and therefore being on site was vital;
- Some small farms were unable to put forward a business case because of their size;
- With regard to the barn being overbearing in relation to the house, it was the applicant's choice to have it sited there;
- An agricultural occupancy condition would mitigate the reason for the dwelling.

Councillor Beckett left the Council Chamber at 3.05pm.

Councillor Goldsack was advised by the Planning Manager that an agricultural restriction could be conditioned. In the light of this, he said that as the Parish Council and Ward Members supported the scheme, he thought the application should be approved.

The Chairman said he supported agricultural workers, but there were a number of outstanding matters and he wondered if it would be better for the Committee to revisit the application.

Councillor Hunt thought this was an open market dwelling. The proposal had the support of the City of Ely Council, but with a link to the business. While there was a good case for it being an agricultural building, there were four reasons for refusal, not just flooding. He was concerned about the house next door because the condition of the land could cause structural problems. He said that if this had been an application for an agricultural dwelling he would not have been so worried, but it was an open market house. He appreciated the applicant's circumstances and wished to make it clear that he supported local farming but he believed there was no choice but to go with the Officer's recommendation for refusal.

Councillor Ambrose Smith remarked that the Committee had twice today supported family businesses and she urged Members to be consistent.

Councillor Cox thought that if the family wished to keep a sinking building, that was up to them. He felt that the application should be approved with an agricultural occupancy condition attached.

The Planning Manager reminded the Committee that there was specific policy regarding agricultural workers. The Authority had requested information but it was not forthcoming and therefore the application was assessed as a market dwelling.

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

When put to the vote, the motion was declared carried, there being 5 votes for, 4 votes against and 1 abstention.

It was resolved:

That planning application reference 17/01362/FUL be REFUSED for the reasons given in the Officer's report.

Councillor Beckett returned to the Chamber at 3.20pm.

94. 17/01384/FUL – THE OLD HALL, SOHAM ROAD, STUNTNEY

Barbara Greengrass, Senior Planning Officer, presented a report (S132, previously circulated) which sought permission for a manager's dwelling with ancillary offices and meeting rooms together with an outbuilding to provide for ancillary storage to the main use of The Old Hall as a wedding venue with 14 rooms for B & B provision.

Members noted that the site was located in the countryside and comprised a very large detached building with ancillary marquees. It was immediately to the east of the A142 and positioned on an elevated plot with the surrounding gardens and ponds. The outbuilding was in the same place as that previously approved in 2016 alongside the car park, but it had an amended design and the dwelling was proposed alongside it, to the east and set below the earth bank.

It was noted that the application had been called in to Planning Committee by the Ward Members, Councillors Lis Every and Richard Hobbs.

A number of illustrations were displayed at the meeting, including a map, an aerial image, the amended and the layout and elevations of the manager's house.

The Committee noted that the main considerations in the determination of this application were:

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

With regard to the principle of development, the Committee noted that the principle of the provision of the ancillary offices and meeting rooms was justified in support of the expanding and successful business at the site.

However, the manager's house had to be assessed against Policy HOU5 and it was considered that there was not an essential need for an additional manager's house on site to serve the needs of the business. There was existing accommodation on site to accommodate two staff members and

there was no need for the manager to live on site to manage the day to day running of the business, as this could be adequately managed by living off site.

It was noted that the business had thrived and successfully expanded to date without the need for a manager to live on site and there was no reason why this could not continue in the future.

In terms of visual impact, the development would be sensitively sited and designed and the new outbuilding would not be visually intrusive or detract from the setting of The Hall or the wider countryside.

The proposed dwelling would have adequate amenity space in line with the Design Guide SPD. The addition of the ancillary buildings and manager's dwelling would not give rise to any adverse impact on the residential amenity of neighbouring dwellings as there were no dwellings in close proximity to the site.

The Senior Planning Officer said that the County Highways Authority was satisfied that the proposal would not have a harmful impact on highway safety.

In summary, she said that while the ancillary buildings and offices/meeting rooms were acceptable, the need for a manager's house had not been justified and the application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Nick Jacob, architect, addressed the Committee and made the following points:

- He was the senior partner, speaking on behalf of the Morbey family;
- The Officer's report was favourable in almost every aspect and the objection related to the manager's house;
- One of the staff bedrooms was used by staff to sleep over so as to be able to look after guests, and the other was used for emergencies;
- The Old Hall's reputation had built up and there was steady flow of business with bookings often overlapping;
- Senior management had to be available to deal with any situations that might arise, and they wished to employ a senior manager;
- Security was important and issues often arose at night, so having a senior manager living next to the outbuildings would be ideal;
- As he saw it, there were three key issues: the business could not be run just by the family, a senior manager needed to be on site, and the business would suffer if not.

Councillor Hitchin thought the facility's insurers must have a view about the proposal, and Mr Jacob replied that they had raised concerns about the security of the site. The Morbey family were senior management but they did not live on site.

At the invitation of the Chairman, Councillor Richard Hobbs, a Ward Member for Ely East, addressed the Committee and made the following comments:

- He and his fellow Ward Member, Councillor Lis Every, saw how important the business was. It had grown and now needed management staff;
- There was a dearth of bedroom accommodation and this proposal would support the business;
- The facility enhanced Ely and the whole area;
- The applicants were excellent business people and the application should be supported.

Councillor Mike Rouse said that those Members who had seen the building rise from the old Jacobean hall knew that it had taken huge investment and was now very successful. The people running the business knew what was needed and if a manager on site would help it to run efficiently, then the application should be approved.

Councillor Rouse proposed that the Officer's recommendation for refusal be rejected and the application be granted permission.

In seconding the motion for approval, Councillor Hunt said the Old Hall encapsulated everything that East Cambridgeshire should stand for, mixing the old with the new. He believed The Old Hall was a tribute to a truly great man. He continued, saying that he could imagine it being essential to have a manager on site 24/7. Everything was done properly here and the facility was a credit to the District and it should be welcomed.

The Chairman said that while he could understand the need for the outbuildings, he was unsure about the house. The Old Hall was a great business, but he could absolutely see why the recommendation was for refusal. The Authority had policies and they needed to be used.

Councillor Cox supported the views put forward by Councillors Rouse and Hunt. This was a hotel and there could be any sort of emergency in the night. There was not likely to be accommodation for a family in the hotel and therefore the proposal should be approved.

Councillor Beckett said he shared the Chairman's views regarding the need for a house on site. The manager could buy a house in Stuntney and still be close to the hotel, so there was no clear need for this house.

Returning to the motion for approval, when put to the vote it was declared carried, there being 6 votes for, 3 votes against and 2 abstentions. Whereupon,

It was resolved:

That planning application reference 17/1384/FUL be approved for the following reason:

- Members believe there is a proven essential need for the proposed dwelling.

It was further resolved:

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

There was a comfort break between 3.45pm and 3.55pm.

95. 17/01385/OUT – LAND OFF BARWAY ROAD, BARWAY, CB7 5UB

Toni Hylton, Planning Officer, presented a report, (S133, previously circulated) which sought outline permission for a three bedroom bungalow with integrated garage and associated access. Access, layout and scale were to be considered as part of the application.

On a point of housekeeping, Members were asked to note that an Ecological report had now been received for the adjacent site and therefore reason 2 in paragraph 1.1 of her report was removed.

The site was located to the south of Barway Road outside the development envelope. It was currently a field that was in close proximity to a fishery pond and there were hedges and trees located along the boundary of the site.

It was noted that Councillor Goldsack had called the application in to Planning Committee; the reasons were set out in paragraph 5.1 of the Officer's report.

A number of illustrations were displayed at the meeting, including a map, an aerial view of the location and the layout of the proposal.

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

- Principle of development;
- Character and appearance of the area;
- Residential amenity;
- Highway safety;
- Ecology; and
- Trees.

The application site was located close to the established development framework for Barway and close to existing residential properties, and the BAR1 and BAR2 allocation sites. It was considered therefore considered that the site was in a sustainable location.

In terms of visual amenity, it was considered that the proposed development would be at odds with the linear character of the built form, thereby causing significant and demonstrable harm to the character of the area.

Members noted that the Local Highways Authority had raised no objections to the proposal. It was considered that the proposed dwelling could achieve a safe access with no detriment to highway safety.

In summary, the Planning Officer said that although the District would benefit from an additional residential dwelling to its housing stock, this would be outweighed by the significant and demonstrable harm to the rural and linear nature of the character and appearance of the area. The application was therefore recommended for refusal.

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

- The site was an open paddock and did form a natural extension to the village;
- The proposed single storey dwelling would be located off an access which had already been approved as part of the 3 dwellings adjacent to the site;
- This area was different in character with a more varied form;
- The Old School House was an important point in Barway and the character of the village became denser along Barway Road, with the features showing the differences;
- The proposal was a building of modest proportions and he believed it to be in accord with ENV1 and ENV2;
- This was not a speculative development. The proposal for a single storey dwelling was to accommodate his parents who were returning to East Cambridgeshire following a spell of living in Ireland. They were unable to afford any market housing within the District and as they were currently receiving medical treatment at Addenbrookes, moving elsewhere in the UK was not practical.

Councillor Rouse said he had no problem with this application, as once one got to the point where the church and pub were situated, the nature of the village was different in comparison to the more linear area. He therefore proposed that the Officer's recommendation for refusal be rejected and the application be granted approval.

The motion was seconded by Councillor Hunt and when put to the vote was declared carried, there being 10 votes for and 1 abstention.

It was resolved:

That planning application reference 17/01385/OUT be APPROVED for the following reason:

- Members do not believe that the dwelling will have an intrusive effect upon the character of the area or the countryside.

It was further resolved:

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

96. 17/01479/FUL – LAND OPPOSITE 139 THE BUTTS, SOHAM

Oli Haydon, Planning Officer, presented a report (S134, previously circulated) which sought full consent for the erection of two log cabins on a strip of land to the south of Soham.

A previous application was submitted and refused in July 2017.

On a point of housekeeping, Members were asked to note an error in paragraph 7.1.6 of the Officer's report. It should read that the site was located 0.7 miles from the centre of Soham, and not 3.9 miles, as stated.

The site was outside the development envelope for Soham, with the nearest services and facilities being 1.1 miles away and accessed via a single track road with no footpath. The site was located opposite the applicant's dwelling alongside the railway line between Ely and Newmarket.

It was noted that the application had been called in to Planning Committee by Councillor Ian Bovingdon, as it was considered that the site was in a sustainable location and permission had recently been granted for an eco dwelling at The Butts.

A number of illustrations were displayed at the meeting. They included a map, an aerial view of the site, the layout and elevations of the proposal and a photograph of the street scene.

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

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

The Planning Officer reiterated that paragraph 55 of the NPPF stated that isolated homes in the countryside should be avoided unless there were special circumstances. This site was in an isolated, rural location and it was therefore considered to be unsustainable, similar to the conclusions of the Inspector in a recent appeal decision. This formed a material consideration to be given significant weight in determining this application.

The introduction of two log cabins and garages would, to a certain extent, result in an urbanising of the landscape. However, the site currently contained various sheds and outbuildings, and it was therefore considered that the proposal would have a minimal visual impact.

Having regard to residential amenity, the proposal would be significantly isolated from any nearby dwellings and would therefore have a negligible impact on surrounding residents.

It was noted that the application site was located adjacent to the railway line between Ely and Newmarket. A very elementary Noise Assessment had been submitted, with no recommendations to support or oppose the development on the site. The Council was therefore unable to make a full and informed assessment of the potential disturbance from the railway line and as such, the application was recommended for refusal for this reason.

The Local Highways Authority had raised no objections to the scheme and other material considerations could be dealt with by conditions.

Speaking of the planning balance, the Planning Officer said that while the District's housing stock would benefit from two additional residential dwellings, this would be outweighed by the significant and demonstrable harm caused by the siting of those dwellings in an unsustainable location. Furthermore, there was insufficient evidence provided to demonstrate that the residential amenity of the occupiers of the dwellings would not be significantly and demonstrably harmed by the noise emitted from the activity on the adjacent railway line.

Councillor Austen asked what the cabins were to be used for and the Planning Officer replied that they would be dwellings. In response to a question from Councillor Hunt, he confirmed that they would have 365 days occupancy.

In proposing that the Officer's recommendation for refusal be supported, Councillor Beckett said the site was an inappropriate location.

Councillor Hunt concurred and seconded the motion, adding that as well as the noise, he was concerned about pollution, as the trains waited there. He also imagined the cabins would be somewhat cold.

Councillor Hitchin said that having grown up in British Columbia, he knew there was no reason for the cabins to be cold. Regarding the cabins being so close to the railway line, in the south of Cambridge there were hundreds of flats near the railway. However, with freight trains stopping and waiting next to the proposed site, he did not think it would be a particularly nice place to build cabins and instinct told him the application should be refused.

Councillor Goldsack made the point that as the applicant lived in a property across from the site, he would be aware of the noise. However, he noted that the previous application had been refused in July and he asked what had changed with this application. The Planning Officer stated that it was the same proposal, with a Noise Assessment.

The Committee returned to the motion for refusal, which when put to the vote was declared carried, there being 10 votes for and 1 abstention.

It was resolved:

That planning application 17/01479/FUL be REFUSED for the reasons given in the Officer's report.

97. 17/01518/FUM – LAND TO REAR OF THE PADDOCKS, CHEVELEY, CB8 9DG

The Committee noted that planning application reference 17/01518/FUM had been withdrawn from the Agenda.

98. 17/01547/OUT – 9 HIGH STREET, WITCHAM, CB6 2LQ

Oli Haydon, Planning Officer, presented a report (S136, previously circulated) which sought outline consent for the construction of one detached dwelling. The matters of access, layout, appearance, landscaping and scale would remain as reserved matters, to be determined at a later date.

It was noted that the site was located outside the development envelope for Witcham, 120 metres from the properties fronting the High Street. It would be accessed off Back Lane via a partially metalled narrow green drove that lead on to Martins Lane to the west.

The application had been called in to Planning Committee by Councillor Schumann as the previous proposal on this site was refused by Committee in February 2017.

A number of illustrations were displayed at the meeting, including a map, an aerial image showing the peri-urban nature of the location.

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

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

Based on the distance from the settlement boundary, the footpath provision and the character of the area, it was considered that the site was sufficiently well connected to the facilities and services available in the village and the wider that future occupiers would not be overly reliant on the use of a private motor vehicle.

The principle of the proposed dwelling on this site was therefore considered acceptable, provided its impact on the visual amenity of the area did not cause demonstrable harm.

Members noted that the proposal would not be visible from the High Street as the boundaries of the site were amply screened by existing trees and hedging. The previous application had been refused on the grounds of design and the applicants were advised to consider a sympathetic and rural design that would be sympathetic to the defining characteristics of the area. However, at this stage no comments could be made on the design aspect of the application.

In connection with residential amenity, it was not possible to fully judge at this point whether the proposal would be overbearing or overlooking. Officers considered that the scheme was likely to be compliant with the requirements of the Design Guide SPD with regard to plot size and private amenity space.

It was noted that the northern boundary of the Witcham Conservation Area was located some 60 metres to the south of the application site and the closest listed buildings were positioned and screened by the fabric of the village, in excess of 100 metres. As such, it was considered that the proposal would not have any discernible impact on the heritage assets of the village.

Access was a reserved matter, although indicative plans showed the site could be accessed off Back Lane. The Local Highways Authority had raised no objections in principle.

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

- The earlier application was full and it had been rejected;
- The location of this proposal would result in an unwelcome intrusion into the countryside;
- The only difference between the two applications was that this was outline;
- This house would intrude and be all too visible from the High Street;
- A substantial house could be built on this plot;
- Any reserved matters application should enhance the visibility of the site, but dropping the design would be the best way to slide the proposal past the Committee;
- A Councillor had visited the application site and said it was one of the most attractive areas he had seen;
- If granted permission, an attractive country track would go and this dwelling would be followed by others;
- There were other properties available in the village;

- This proposal ignored the views of the local people and their representatives on the Parish Council.

At the invitation of the Chairman, Mr and Mrs Bateson, applicants, addressed the Committee and made the following remarks:

- They would love to move back to Witcham so that they could be part of and contribute to the community;
- Her parents had said they could build in the back garden, so they were encouraged to reapply for outline permission to establish the principle;
- This was a sensible location and well positioned on the edge of the village;
- It would lead to the access they would use in the garden of No. 9 High Street;
- The proposed dwelling would be visible from the public right of way, from the south aspect and in the driveway at the north face, but it would not have a harmful impact;
- Other properties had not objected and the distances between the proposal and them would preserve privacy;
- This would be a lifelong family home that could be adaptable and they would only be using a single car for journeys;
- They wanted an eco-house that would be designed to look like a barn conversion so it fitted in with its surroundings;
- They were happy for reserved matters to be determined at Committee;
- They felt a huge bond to Witcham and the application was not for financial gain;
- They wanted to be part of the slow organic growth to enhance the village.

Councillor Rouse asked about the distance from the proposed site to the nearest houses on the High Street. The Planning Officer replied that it 120 metres from No. 9 High Street.

In response to a question from the Chairman, the Ward Members, Councillors Bradley and Bailey, confirmed that the land at Back Lane, Headleys Lane and the High Street was not recommended for allocation in the Local Plan.

Councillor Ambrose Smith proposed that the Officer's recommendation for approval be supported, as she felt that this was a lovely secluded spot where the house would not impinge on anyone. With its eco credentials, the house would be exemplary.

Councillor Beckett likened this proposal to the earlier application, in that he believed it to be urban creep. He acknowledged that it would be a delightful place to live, but the dwelling would be detached from the village and for that reason he could not support the proposal.

Councillor Goldsack agreed saying that he had much the same feelings. The Parish Council was very much against the proposal, there had been no change in circumstances, and he urged Members to be consistent in their decisions.

Councillor Rouse seconded the motion for approval. He considered the proposal to be perfectly acceptable because it did not interfere with anyone and would bring new blood into the village.

Councillor Hunt said he supported the views put forward by Councillors Beckett and Goldsack. This was urban creep nearer to the settlement line. The application said it was 'eco' but Members had no details and this made him nervous. There had been no comments from the Ward Members; he believed the Committee should look to the Parish Council and respect their views.

Councillor Cox expressed his support for the proposal saying there were farms, farm buildings and complexes to the north of the village. He could not see how the development was moving into the open countryside when it was surrounded by farms and houses.

The Planning Officer commented that it could be argued that the dwelling would contribute to the presence of built form. Furthermore, the applicants wanted the property to look as though it had always been there and regarding the previous refusal, Members had not thought it unsustainable.

The Chairman reiterated that the application could come back to Committee at the reserved matters stage and this was supported by the Council's Constitution.

Drawing attention to the Parish Council's comments in paragraph 5.1 of the Officer's report, Councillor Beckett said he believed they were quoted from the Planning Committee's minutes of the meeting in February 2017. If that was what had been said, then nothing had changed. The Chairman reminded him that this was an outline application with all matters reserved, so the full impact of the scheme could not be assessed at this stage. It was not necessary to agree with all the Officer's reasons for refusal.

The Planning Manager interjected to say that the issue of sustainability had been removed as a reason for refusal by Members. It was therefore recommended that the application be approved, subject to it coming back to Committee at the reserved matters stage.

Councillor Hitchin said he recollected that and he did not get the impression that the applicants were trying to 'slip one by' the Committee. He felt there was clear evidence to show that they were working towards something achievable.

Councillor Hunt requested that if the application was approved, a condition be added requiring it to come back before Members at reserved matters.

The Committee then returned to the motion for approval, and when put to the vote, it was declared carried, there being 8 votes for and 3 votes against.

It was resolved:

That planning application reference 17/01547/OUT be APPROVED subject to the conditions as set out in the Officer's report, and that the Reserved Matters application be brought to Planning Committee.

99. PLANNING PERFORMANCE REPORT – AUGUST 2017.

The Planning Manager presented a report (S137, previously circulated) which summarised the planning performance figures for August 2017.

The applications being received were now decreasing; there had been 223 during August, which represented a 10% increase on August 2016 (203) and a 4% decrease from July 2017.

She said she wished to thank the Officers and all those working in the background for all their efforts during a period that had been very hard going.

The Chairman added his thanks on behalf of the Committee to the full team and the Planning Solicitor.

It was resolved:

That the Planning Performance report for August 2017 be noted.

The meeting closed at 4.50pm.