



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange, Nutholt Lane,
Ely on Wednesday, 5th April 2017 at 2.00pm.

P R E S E N T

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

OFFICERS

Maggie Camp – Legal Services Manager
Richard Fitzjohn – Planning Officer
Barbara Greengrass – Senior Planning Officer
Ruth Gunton – Planning Officer
Catherine Looper – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Julia Huffer
Approximately 33 members of the public attended the meeting.

115. APOLOGIES AND SUBSTITUTIONS

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

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

116. DECLARATIONS OF INTEREST

Councillor Bill Hunt declared an interest in Agenda Item No. 12 (17/00070/FUL, 40 Cambridge Road, Ely), having a close personal relationship with the applicant. He said he would vacate the Chamber before the debate and voting on the application took place. He also declared an interest in Agenda Item No. 14 (17/00272/VAR3M, Land at Barton Road Car

Park, Barton Road, Ely) being Chairman of the Asset Development Committee; he said he would vacate the Chamber before the debate and voting on the application took place.

Councillor Tom Hunt declared an interest in Agenda Item No. 12 (17/00070/FUL, 40 Cambridge Road, Ely), having a close relationship with the applicant; he said he too would vacate the Chamber before the debate and voting on the application took place.

Councillor Ian Bovingdon declared a pecuniary interest in Agenda Item No. 13 (17/00087/OUT, Land Opposite Barley Cottage, Barcham Road, Soham), being the land agent. He said he would remove himself from the Chamber before the discussion and voting on the application took place.

Councillor Mike Rouse declared an interest in Agenda Item No. 14 (17/00272/VAR3M, Land at Barton Road Car Park, Barton Road, Ely), being a Trustee of the Ely Youth Hub. He stated that he had withdrawn from the Chamber the last time this application came to Committee, and would therefore do so again.

117. MINUTES

It was resolved:

That the Minutes of the Planning Committee meeting held on 1st March 2017 be confirmed as a correct record and signed by the Chairman.

118. CHAIRMAN'S ANNOUNCEMENTS

- The Chairman announced that the new Planning Assistant, Zoe Boyce-Upcraft, would be joining the department on 6th April;
- Members were asked to note that the meeting of Planning Committee on 3rd May would be held in St Mary's Church Hall. The Council Chamber would be in use in connection with the forthcoming County Council and Mayoral elections.

119. 16/00535/FUM – LAND PARCEL EAST OF 2 THE SHADE, SOHAM

Barbara Greengrass, Senior Planning Officer, presented a report (R251, previously circulated) which sought permission for the erection of 88 dwellings, of which 22 (25%) would be affordable housing with associated infrastructure, garaging and public open space.

On a point of housekeeping, the Senior Planning Officer stated that since the report had been written, the following matters had arisen:

- A response form the Lead Local Flood Authority in response to the latest amendments, raising no objection to the development subject to conditions;
- The County Council had requested a financial contribution for education provision for the 39 dwellings which were not part of the housing allocation. A request had been made for £116,271. This would be secured as part of the S106 legal agreement;
- An additional condition to secure retention of the hedge along the Public Byway (23);

‘Except as detailed on the approved plans no trees shall be pruned or removed/felled and no hedges shall be removed without the prior written approval of the Local Planning Authority.

Reason: To ensure that the important landscape features on the site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the east Cambridgeshire Local Plan 2015.’

It was noted that the application had been called in to Committee as it proposed more than 50 dwellings

The site was located adjacent to the development envelope for Soham and part of the site had been allocated for housing under Local Plan Policy SOH8, with the remainder of the site forming an employment/mixed use allocation under Policy SOH9. The site was adjacent to the existing Northfield Road Business Park and residential properties bounded the site to the south with the northern boundary being a mixture of residential and open land.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, a photograph of the Public Byway, the proposed layout including the location of affordable housing within the scheme, the layout of the new pedestrian crossing and the relocation of the existing crossing, elevations, housing mix and the layout for the drainage scheme.

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

- Principle of development;
- Visual impact;
- Noise impact;
- Access, highway safety and transport;
- Housing mix and layout;
- Public open space;

- Residential amenity;
- Flood risk and drainage;
- Ecology and biodiversity; and
- Archaeology.

Members were reminded of the Council's current position regarding the ability to demonstrate an adequate 5 year supply of land for housing. The Senior Planning Officer said she would not go into this in detail as Members were already very well rehearsed on the matter.

The applicant had provided information stating that there was a limited demand for commercial land within Soham. It was also advised that the cost of development was higher than the value of the land and it would therefore not be viable to bring this forward for employment use. Officers had sought the advice of an independent valuer and following research, the valuer had confirmed that there was currently very limited demand and other similar sites had remained undeveloped. It was therefore accepted that at present, this site was unlikely to deliver employment use and on that basis, the principle of residential use was accepted.

The benefits of the application were considered to be the contribution of 88 dwellings, including affordable housing, to the District's housing stock, and the positive contribution to the local and wider economy in the short term through construction work and future occupiers of the dwellings.

Consideration had been given to the implications of the development on the delivery of the remainder of the employment allocation. Policy SOH9 required the land to be accessed from The Shade, and it would not be appropriate to access this employment site via this residential development. Having explored alternative access points with the applicant, it was accepted that alternatives existed, should the land come forward for employment use. Consideration was also given to the principle of siting residential properties alongside employment uses in terms of the impact of potential noise and disturbance on residential amenity. Since it was the original intention of Policies SOH 8 and 9 to accommodate these uses alongside each other, this principle had been accepted.

With reference to the photograph of the Byway, Members noted that the importance of this route was highlighted within Policy SOH8, where it stated that any development of the site for housing should retain and enhance this green lane and retain and enhance the public footpaths crossing the site.

Following lengthy discussions with the applicant, amendments had been secured to retain Byway 23 in situ together with as much of the bounding hedgerow as possible. The Byway to the north would remain in situ and the footpath to the south would be diverted through the development site.

The dwellings would be visible along The Shade, but as frontage development, they would not appear out of keeping with the mix of

development types in the vicinity. Views would be softened over time by additional planting within the site and although the development would impact on the adjoining residents, the position of built form and boundary treatments had been incorporated to minimise this.

The applicant had provided, upon request, a noise impact assessment, which identified two noise sources that would impact on the future residents of the site. One was the traffic noise from the A142, and the other was from the industrial units at Northfield Park.

Following negotiations the plan had been amended to provide acceptable acoustic measures to safeguard the residential amenity of future occupiers. A two metre high earth bund would be located along the eastern boundary of the site to largely provide protection from the industrial units. Acoustic fencing would be positioned along the garden boundaries of Plots 40, 48 and 49 and acoustic trickle ventilators to the windows on Plots 12-21, 35-39, 41-52, 68-71 and 84. These measures would be secured by condition.

It was noted that access to the site was from The Shade, just south of the junction with Kingfisher Drive and near to the Public Byway. A new pedestrian crossing was to be provided between the new access and Kingfisher Drive and the existing crossing would be moved further south to allow for the right hand turn lane to be accommodated. The County Highway Authority did not have any objections and the measures would be secured by Grampian condition, to be completed prior to the completion of Phase 1 of the development.

The access roads within the site had been examined by the County Highway Authority and were considered to be adequate. The access location in regard to accessibility and permeability had also been assessed and deemed acceptable by the County Council Transport Planning Team. The team had been re-consulted on the amendments and were now satisfied that the proposed development would not have a severe cumulative residual impact on the local road network.

The Transport Planning Team had raised no objection, subject to mitigation package to be secured by S106 Agreement or planning condition. Paragraph 7.4.4 of the Officer's report set out the details of the mitigation package and the reasoned justification for each measure.

Speaking next of housing mix, the Senior Planning Officer reminded Members that the application proposed 88 dwellings, 22 of which were to be affordable housing. This equated to 25% provision, which did not accord with Policy HOU 3 and SOH 8, as they required 30% provision. However, the applicant had submitted a viability assessment to prove that this level of provision was not viable on the scheme proposed. This had been assessed by an independent valuer who concluded that the provision of 25% affordable housing would be viable, and on this basis it was accepted that 25% provision should be accepted for this development.

The amount and mix of affordable housing would be secured by means of a S106 legal agreement.

With regard to residential amenity, it was accepted that some level of noise and disturbance would be experienced by all existing adjoining residents, but at a level which would be expected when a new housing development took the place of an open field. Suitable separation distances and boundary treatments were proposed to ensure that residential amenity was not unduly compromised. The layout of the scheme had been assessed and it was considered that it provided a satisfactory level of amenity for the future residents of the dwellings, in relation to plot sizes and design/positioning of dwellings. It was considered that the residential amenity of the future occupiers would be safeguarded in terms of any overlooking or noise disturbance.

The Lead Local Flood Authority (LLFA) had initially raised concerns about the drainage proposals, as the existing drainage regime had not been fully understood and insufficient information was provided for on site. There was also concern as to how the water would be dealt with when it left the site, as this was originally proposed to leave in a northerly direction where concerns were raised by a neighbouring resident regarding existing flooding problems. The scheme had therefore been revised to provide for a SUDs system which would utilise the existing drains on the opposite side of The Shade. A surface water drainage condition would be attached to ensure the final details for the discharge were agreed but the LLFA and the Internal Drainage Board had advised that they were satisfied this would give an acceptable solution.

Mitigation and precautionary measures for bats, breeding birds and reptiles would be secured by condition, as would the retention of existing boundary hedgerows and trees and the provision of new landscaping.

The developer had already undertaken excavation work on the site in accordance with Policy SOH 8, and as the results had identified significant remains, the Senior Archaeologist had recommended a programme of archaeological investigation be commissioned and undertaken before development took place.

At the invitation of the Chairman, Mr Woollard, Mrs London and Mrs Vinall each spoke in objection to the application and made the following points:

Mr Woollard

- Referring to paragraph 7.1.5 of the Officer's report, he believed that there were other sites elsewhere in the District that would be more suitable and acceptable for development. This one was "just making up the numbers";
- He had doubts about the propriety of Councillor Schumann chairing the meeting on this item, as he was good friends with the applicant.

Mrs London

- There would be an increase in volume of traffic;

- Issues regarding traffic problems at The Shade had already been raised at the February meeting of the Planning Committee. This would cause a parking nightmare;
- The traffic from The Shade would add to air pollution;
- The routes were unsuitable and the roads poorly maintained;
- She objected to the loss of historic land. This area should be preserved as it was one of the few remaining examples of a medieval farming system and a real visible testament.

Mrs Vinall

- This was part of the local heritage and could make history more real for children;
- Soham was becoming a dormitory town due to lack of transport;
- The whole field already suffered from flooding.

The Chairman responded to Mr Woollard's final remark by saying that he had lived in Soham all his life. He had lived and worked there and his family had run a business in the town for three generations. The fact that he knew a great many people in the town did not preclude him from chairing this item.

At the invitation of the Chairman, Mr Jamie Palmer, agent for the applicant (and accompanied by Mr Warner, drainage consultant) addressed the Committee and made the following comments:

- The site had already been allocated for employment use, so it was always going to be developed;
- Considerable work had been undertaken to find a supermarket for the site but there was no demand in this location. Soham was not the sort of location that attracted big chains;
- The Council could not currently demonstrate a 5 year supply of housing land and more residences needed to be built to meet targets;
- Was a contribution of £15k towards cycle provision reasonable?
- With regard to the archaeological importance of the site, significant works had already been undertaken with no significant finds;
- The criteria for the drainage scheme meant that the site would not flood. The overflow would go to the main drain;
- The affordable housing would be split into two phases;
- Public Open Space would form a buffer;

- Half the site allocated housing and half allocated employment. Traffic had already been taken into account and there would be fewer larger vehicles for this proposal in relation to the allocation.

Councillor Beckett asked Mr Warner if the neighbouring developments discharged to Northfield Road or to The Shade. Mr Warner replied that the natural flow was to Northfield, but there had been a request to divert this by the IDB and the LLFA.

Councillor Bovingdon queried Mr Palmer's comment that there was no significant archaeology. Mr Palmer replied that Phase 1 was okay but there would be further investigation on the back of Phase 2 toward the Northfield Road end. The Senior Planning Officer drew Members' attention to the comments on page 6 of her report, from Cambridgeshire Archaeology.

At the invitation of the Chairman, Soham Town Councillor Elizabeth Johnston addressed the Committee and made the following remarks:

- The location was of significant historical importance, it being a medieval strip field that had been there for 1000 years;
- The first Soham Masterplan had recognised this, and Soham was unique in having this example of a medieval field system;
- Soham Town Council wanted to safeguard the site and stringently urged that it should not be developed;
- The NPPF spoke of the conservation and enhancement of the historic environment;
- ECDC had taken the decision to save the Jewson site. Why not this field, as it was only one of three left in existence ?
- Natural England had noted its uniqueness;
- A petition had been started in 2016 and was still going. A number of under 18's had wanted to sign but were upset at not being allowed to do so;
- The field would probably not be there in a hundred years time;
- She begged the Committee not to allow the site to be developed;
- Other people were interested in buying the site.

Councillor Rouse asked Councillor Johnston to explain what he was looking at and why it should be protected. She responded by saying that to most people it just looked like a lumpy, bumpy field, but it was actually a medieval strip field. The archaeology was on the ground as well as underneath it.

In response to a question from Councillor Bill Hunt, it was confirmed that the scheme would have 22 market and 13 affordable 2 bed houses. It was also confirmed that the roads would be constructed to an adoptable standard and have proper pavements.

Speaking of the responses, the report stated 57 neighbouring properties had been consulted. Councillor Tom Hunt said it would have been helpful to have a breakdown of the number who responded and those who had supported the scheme and those who did not. The Planning Manager replied that she took his point, but Officers had been asked to summarise. This information could be included in future reports.

Councillor Tom Hunt continued, saying that housing mix was very important and the Council had a moral mission to support young people and families who wanted to buy their own homes. This scheme was to be welcomed because it met the requirements of the local community and went some way towards addressing the shortage of 2 bed dwellings. He noted that the land was already allocated for employment, but was not aware of its historical importance. Whilst he appreciated the importance of archaeology, he was also mindful of the need for housing for the community and there were many young people desperate to get on the housing ladder. On balance he was minded to go with the Officer's recommendation for approval.

The Chairman reiterated that truly affordable housing was that which people could afford to buy, and this scheme would allow a great deal of opportunity to young people. With regard to traffic, a train station in Soham would help towards fewer vehicles on the road, but it would be incumbent on growth. This application could help to deliver sustainability.

In proposing the recommendation for approval, Councillor Rouse agreed it was a good site and much needed. It was close to a school and shop and was low density. He was moved by the plea regarding the medieval strip field but this had not been raised before. Soham was destined for growth and needed improved infrastructure, and there were simply not good sites all over the District. Here was a developable site and an attractive scheme.

Councillor Bovingdon seconded the motion, adding that he too had been unaware of the site's history. However, this was an allocated site and he concurred with Councillor Tom Hunt's comments regarding housing.

Councillor Bill Hunt said he was delighted with the housing mix with its strong balance on 2 bed houses. There would be a complete community and residents would be able to walk to the school instead of parking nearby. He was also pleased to see that the internal roads would be to an adoptable standard with pavements. Whilst being aware of the need to balance the pluses and minuses of the scheme, he believed there was a duty to the next generation. Soham needed a station and passengers. Care had been taken with this scheme and he would support the recommendation for approval.

Councillor Beckett said that Soham was crying out for the 22 affordable houses and they would be close to the school. With regard to the transport requirement of a £15,000 contribution in respect of a cycleway, he believed this was going too far. Here was a good scheme and they should just get on with it.

The Chairman interjected to say that Officers had challenged the bus shelters and cycle path and would not be seeking a contribution, as they did not believe it was justified.

It was resolved unanimously:

That approval of planning application reference 16/00535/FUM be delegated to the Planning Manager, following the completion of a S106 legal agreement and the draft conditions, as set out in the Officer's report (with any minor revisions to the conditions delegated to the Planning Manager), and subject to the imposition of an additional condition to retain existing hedges and trees with any additional revisions to conditions and the S106 legal agreement to include an education contribution.

120. 16/01019/RMM – LAND NORTH OF FIELD END, WITCHFORD

Andrew Phillips, Senior Planning Officer, presented a report (R252, previously circulated) which sought reserved matters (excluding access) consent for 128 dwellings, public open space and relevant infrastructure.

The original outline (14/00248/OUM) was refused by the Local Planning Authority in August 2014 on the grounds of adverse effects in terms of noise and air pollution from the adjacent A142, insufficient archaeological information, harm to highway safety and a lack of educational provision. The application was successfully appealed and given consent by the independent Inspector in June 2015. This outline consent gave detailed approval for the access. The developer then varied the approval to update the sustainability condition in line with more recent policy.

This application had been amended in order to gain an earth bund along the A142, ensuring the roads were adoptable, to improve the internal design and to ensure a suitable amount of public open space.

It was noted that the application had been brought to Committee because the Planning Manager and Case Officer believed the history and size of the development meant it should be publically discussed and determined. Councillor Cheetham also wished for the application to be determined at Planning Committee.

The site was an open field between Field End to the south and the A142 to the north. There were industrial units to the east of the site and an awarded drain running along the southern boundary.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, the layout of the proposal, elevations, a number of indicatives relating to residential amenity, affordable housing layout, public open space, visual impact, and highway safety and parking.

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

- Principle;

- Residential amenity;
- Housing mix;
- Public Open Space and flood risk;
- Visual Impact; and
- Highways and Parking.

With regard to the principle of development, the Senior Planning Officer reiterated that the site already benefitted from an outline consent which had agreed the principles of the development.

Members were reminded that the Planning Inspector had concluded that the concentrations of PM10 predicted to occur in 2020 did not approach or exceed the relevant air quality objective at any point across the A142 or the development. The rear façades of the properties were approximately 28 metres from the central reservation, and it was therefore considered that the development complied with the outline requirement where the Inspector had stated that the rear elevations should be 20 metres from the centre of the road and going against this requirement would be unreasonable.

Officers had worked hard with the developer to incorporate suitable mitigation measures into the scheme. A 2.7 metre earth bund would run along the A142 (plots 57-87) and small sections of 2.7 metre acoustic fencing would protect the corner plots from both the road noise and the commercial activities to the east of the site.

Whilst the earth bund and acoustic fencing would provide an effective means of blocking out the noise from the road, a condition would be required to ensure that suitable fresh air could be brought into the adjacent dwellings by means of mechanical ventilation; this would be in addition to the acoustically treated passive vents.

The proposal would provide 29.7% affordable housing on site, which was considered to comply with the outline application. The affordable focussed on smaller properties, making the overall housing mix weighted in favour of two and three bed dwellings. This was considered to be acceptable by the Council's Housing Officer. The market dwellings were focussed more towards larger houses.

The Committee noted that the dwellings had been designed to provide focal points and to ensure that the dwellings on corners were dual fronted to provide visual interest on both sides. The overall theme was defined by the fact that the affordable housing was based on smaller house designs and the market housing on the whole being larger in size to accommodate additional bedrooms. The positioning of the dwellings would help to obscure or break up the parking areas.

Whilst there were few trees within the public highway, the developer was seeking to provide some trees within parking areas. The Case Officer mentioned that to include the concerns of the Trees Officer by adding trees into the public highway would likely have made the proposed roads

unadoptable. The main public open spaces would also need to have significant numbers of trees to help balance out the lack along the public highway, and this would be secured by condition. The earth bund along the northern edge would ensure that even if some of the trees were lost in the long term, a semi-natural barrier would remain along this boundary.

The outline approval set the number of dwellings and the amount of traffic on local roads, and for this reason, traffic movements were not being considered as part of reserved matters. The number of vehicles using the local road network was therefore immaterial in the determination of this application. Raised tables and bends would be used within the development to keep traffic speeds low.

With waste (foul) water being dealt with by condition, it was expected that all details could be agreed on site and that no off site works would be required and the developer would be able to discharge this condition at a later stage.

At the invitation of the Chairman, Mr Hendry, agent for the applicant, spoke in support of the application and made the following comments:

- This development would deliver much needed housing in the District in a sustainable location;
- The application had been amended in response to comments received;
- His response to the Lead Local Flood Authority was that the final design would be conditioned;
- Noise and air pollution had been addressed at the outline stage, and further assessments had been commissioned;
- The 2.7 metre bund would ensure that noise levels were maintained;
- The application was an efficient use of the land.

Mr Hendry concluded by apologising to Members for them not being able to gain access to the site during their site visit.

Councillor Bill Hunt thought it strange that the sides of the bund were 70°, as it was his understanding that they were normally 45 - 50°. He also questioned what would happen to the amount of waste to be removed in the construction of the bund, have estimated that this could be 1,800 cubic metres of rubbish. Mr Hendry replied that he did not know the exact angle of the bund; a wider based bund had been explored but this would have intruded too far into the site. With regard to moving the earth, no decisions had yet been taken and this would be part of the Environmental Management Plan.

Councillor Hunt then remarked that if the applicant had wanted to save space they could build fewer houses, to which Mr Hendry replied that permission had already been granted for 128 dwellings. Councillor Hunt believed that even with a 70° slope, noise and pollution would still come over the top, and he wondered how it would be possible to stop the pollution reaching the rest of the site. Mr Hendry said the bund had been designed to reflect noise and the houses could be adequately ventilated from the other side. The Planning Inspector had asked for the houses to be set back 20 metres and they were 28 metres from the centre of the road. No concerns had been raised regarding particulates, and the first row of dwellings would be perfectly habitable.

Councillor Cox commented on sound waves being intercepted by the bund and asked if a shallow slope would be more aesthetic. Mr Hendry replied that the bund could be grassed over or planted to improve the aesthetics.

At the invitation of the Chairman, Witchford Parish Councillors Ian Allen and George Jellicoe each addressed the Committee and made the following points:

Councillor Allen read from the following prepared statement:

'Witchford Parish Council would like to take you back to the reasons for refusal in 2014, air pollution, noise and drainage. What has changed?

Nationally concerns over diesel particulates have become more pressing. The County Council are undertaking a study into the effects of PM2.5s, PM10s and nitrogen dioxide, the effect on children are known to be particularly serious. The Planning Inspector gave his view on the acceptability of the site three years ago using then available evidence. The average pollution levels across the A142 corridor used in this application do not reflect the particular conditions near this site, where static traffic is often experienced, and it is likely congestion will worsen in the future.

In terms of noise we would refer to a 2009 report recommending that people should be able to sleep with their windows open, yet without closed windows at night large parts of this site would be undevelopable, this is detailed at para 7.16 of the planning comments. Ventilation is proposed to be by mechanical fans, consuming energy and producing noise, who is going to ensure that these houses are operated as intended? Would Members want their children to be brought up in conditions known to be unhealthy?

The permeable drainage proposals rely on regular brushing and washing of roadways and the lifting of the surface blocks and complete renewal of the base layer at fifteen year intervals. Who is going to pay for and enforce this in perpetuity?

Witchford Parish Council considers that this development does not fit the description of sustainable development given in the NPPF. Will the District and County Councillors present please uphold their position as defenders and promoters of health by refusing this application, or will they be setting aside funds to cover future liability claims against the Authority if they pass it?'

Councillor Allen also quoted from an article published in the Guardian on 4th April 2017. The outcome of research had shown that children were being exposed to dangerous levels of air pollution which produced long term ill health and could cause premature death.

Councillor Jellicoe

- The 2.7 metre earth bund with an angle of 70° would not be stable and would slump;
- Bovis would be responsible for ongoing management on completion;
- It would cost £75k to cart away 3,000 cubic metres and this money could be used to make the bank more stable;
- The District and County Councils could integrate the bank into one with landscape planting being used for noise attenuation ;
- A green footpath could be provided from the savings;
- The District Council should explore with the developer the opportunity to link open space with the footpath.

Parish Councillors Allen and Jellicoe then responded to comments and questions from the Committee.

Councillor Bill Hunt asked if the opening of the Southern Bypass would increase or reduce the pollution along the A142. Councillor Allen said he believed it would increase because this was a more attractive route and there was already often static traffic. Witchford wanted houses, but it was known that the north of the site would be unhealthy. Councillor Jellicoe added that there was still opposition, but they were looking at the concerns of the people who would be moving in there. 50% of the Parish Council was here today to show their support.

At this point the Chairman asked Members to note that Councillor Cheetham had submitted comments on the application in his capacity as a Ward Member for Haddenham; a copy had been tabled for reference.

Councillor Austen noted that the Fire & Rescue Service wanted fire hydrants attached to the S106 Agreement. The Senior Planning Officer said they would have normally been added at the outline stage, and this was when the Fire Service should have requested them; it would be considered unreasonable to add them to the application at a later stage.

Councillor Beckett was pleased to see that the cleaning of ditches had been taken on board. In connection with drainage, Parish Councillor Allen queried who would be responsible for the maintenance of the SUDs system and what S106 Agreement had been put in place for this. The Senior Planning Officer advised that the maintenance of the public open space and the SUDs would go to a management company as specified in the S106.

Councillor Bill Hunt wondered if it would be possible to have the footpath link up with the second area of open space. The Senior Planning Officer replied that it would connect if Phase 2 of the development was approved, but reminded Members this would have to be determined on its own merits at a later date. Councillor Hunt then asked if it would be possible to include a safeway between the A142 and the bund in the development, as this would give another buffer. The Senior Planning Officer responded, saying that it was potentially possible, but would result in the loss of some space on the site. He reminded Members that there was a safe walkway in the north-west corner of the site, with access from the A142.

Councillor Bovingdon sought clarity as to whether the application was for 'up to' 128, or 'for' 128 dwellings. The Senior Planning Officer stated that the original application was for up to 128 dwellings, but the variation had changed this to the latter, so the number could be 10% either way.

Councillor Tom Hunt declared himself to be very upset by what he considered to be an extremely controversial application, as it had provoked so much local opposition. He failed to see why Highways had not objected to the scheme, he thought that the application was immoral and there was no good will from the local community. With regard to housing mix, only 15% of the 90 market units would be 1 or 2 bed properties; he was hostile to this because the scheme would not help young people to get on the housing ladder. He did not feel he could vote for the application.

The Chairman duly responded by cautioning Councillor Hunt that the Legal Services Manager had felt that from his comments, it could be construed that he had already predetermined the application. If this was so and he could not look on the case with an open mind, he should leave the Chamber for the remainder of this item.

Councillor Tom Hunt vacated the Chamber at 3.47pm.

Councillor Rouse stated that the site had effectively been taken out of the Authority's hands by the Planning Inspector and he believed that this was now a damage limitation exercise. It was a poorly thought out scheme and while the site was developable, why go right up to the A142? It was common sense that you did not build up to the edge of a busy road. All the Parish Council was asking for was a better scheme. He knew that the Case Officer had worked very hard on this, but people deserved a better scheme.

Councillor Bill Hunt felt this to be a dreadful situation; it was a bad job done badly. Members were elected to represent the people and there would be development, so it should be done properly. He proposed that the Officer's recommendation for approval be rejected, and the application be refused.

Councillor Bovingdon concurred with Councillor Bill Hunt's earlier comments, saying he was concerned that the bund would need much maintenance.

In seconding the motion for refusal, Councillor Beckett expressed his agreement with the remarks made by the three previous speakers. The ratio of 39 dwellings per hectare was rather dense, and there was no S106 in place other than for affordable housing and education. The bund might be deliverable, but he questioned for how long, as he believed there could be serious problems in 20-30 years time. He felt the applicant should come back with a better scheme.

The Case Officer reminded Members that with issues such as air quality being considered at the outline stage, the Council might be at risk of costs if Members refused the application on this basis.

When put to the vote,

It was resolved unanimously:

That planning application reference 16/01019/RMM be REFUSED for the following reasons:

- Air and noise pollution, taking into account the soon to be completed Ely Bypass which will increase traffic;
- Impact on residential amenity;
- Members believe it is overdevelopment; and
- The bunding is unacceptable.

There was a comfort break between 4.00pm and 4.10pm

Councillor Tom Hunt returned to the Chamber at 4.10pm.

121. 16/01249/OUT – LAND ADJACENT 20 NORTHFIELD ROAD

Barbara Greengrass, Senior Planning Officer, presented a report (R253, previously circulated) on behalf of the Case Officer, which sought outline planning permission, with some matters reserved, for the erection of a new dwelling with an attached garage. Matters of access, layout and scale were to be considered as part of this application, however matters relating to appearance and landscaping were reserved.

Councillors Beckett and Edwards each declared an interest at this point, saying they bought pet food from Alan's Ark.

It was noted that the application had been called in to Planning Committee by Councillor James Palmer, as it was viewed that Northfield Road was a fully sustainable location.

The site was located 1.3 miles from the development boundary of Soham and a further 0.5 miles from the services and facilities in the town.

The wider area comprised agricultural and equine facilities, large scale farming operations and occasional residential development.

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

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

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

Speaking of the principle of development, the Senior Planning Officer reminded Members that Paragraph 55 of the National Planning Policy Framework (NPPF) stated that isolated new homes in the countryside should be avoided unless there were special circumstances. This site was considered to be isolated from any built settlement, in a rural location and the proposal would go against the established patterns of growth. It was therefore considered to be an unsustainable location for the erection of a new dwelling, 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.

It was considered that the proposed single storey dwelling would not have an incongruous appearance within the street scene and would be mostly obscured from view if adequate landscaping was implemented; the appearance of the dwelling would be considered at the reserved matters stage. On balance it was considered that the proposed dwelling in this location would not have a significant and demonstrable impact on the rural character and appearance of the area.

In terms of residential amenity the proposed dwelling would be distanced sufficiently from any neighbouring residential properties such that no loss of amenity would occur from overlooking. Consideration was also given to the impact of the nearby Northfield Farm and the drying fans located adjacent to Northfield Road. Following the submission of a noise assessment, it was not considered that there would be a harmful impact from the proximity of the drying fans to the development site. The Environmental Health department was satisfied with the findings of the acoustic assessment and accepted the mitigation measures proposed.

Whilst the proposal would provide an additional residential dwelling to the District's housing stock, it was considered that this benefit would be outweighed by the significant and demonstrable harm which would be

caused by the siting of an additional dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities.

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

- Sustainability was the only reason given for refusal;
- This area was known as Soham Fen, and on the draft Local Plan it was shown as small scale development;
- Older houses in this area had been demolished and replaced;
- This proposal was for a modest 3 bed bungalow;
- The NPPF stated that there were three elements to sustainability, one of them being to promote healthy inclusive communities;
- The Council could not demonstrate a 5 year supply of housing land;
- Committee had recently approved an application for Hasse Road, which was similar in distance to this proposal;
- Any person choosing to live in this location would understand country living;
- The school bus still collected children and returned them home to this hamlet;
- His client would live in the bungalow and secure a presence at the site entrance;
- In a Forest Heath Appeal, the Planning Inspector had stated '*.... that specifically reducing travel by car is no longer one of the expressed main concerns of Government policy Those living in rural areas will not have the same travel choices as those in a town*';
- This application was in a sustainable location.

Councillor Rouse noted that the area had clusters of dwellings, and he questioned whether a bungalow in this location would cause significant and demonstrable harm. He believed it to be a sustainable location and proposed that the Officer's recommendation for refusal be rejected.

The motion was seconded by Councillor Tom Hunt, and when put to the vote, it was declared carried, there being 8 votes for and 1 abstention. Whereupon,

It was resolved:

That planning application reference 16/01249/OUT be APPROVED for the following reasons:

- Members believe that this is a sustainable location; and
- It is near other residences.

It was further resolved:

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

122. 16/01556/FUL – PARKES FARM, ALDRETH ROAD, HADDENHAM

Ruth Gunton, Planning Officer, presented a report (R254, previously circulated) which sought retrospective permission for the erection of a new wall with entrance gates including a small room for security controls, and the resurfacing of the driveway entrance.

The site was located on Aldreth Road outside the development envelopes of Haddenham and Aldreth. The site provided the entrance to Parkes Farm, with a long driveway leading to a large dwelling house. It was surrounded by open countryside and had hedging along the boundary with Aldreth Road. There was a pedestrian footpath running along Aldreth Road past the site, which linked to both Aldreth and Haddenham.

On a point of housekeeping, the Planning Officer drew Members' attention to a tabled paper which set out the following additional information from the applicant:

'Regarding the concerns around the ditch – they are unfounded. If the complainants had taken the time to come and see us they would have seen that the ditch is intact is routed behind the wall and a new drainage pipe of approx 18" diameter has been installed under the driveway to give continuity of the water course. I would add that since the introduction of the footpath that removed all of the drainage channels from the road to the ditch, the ditch has remained dry even in winter months.'

A number of illustrations were displayed at the meeting, including a map of the location site, an aerial photograph, a block plan and the existing elevations.

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

- Visual impact; and
- Highway safety.

It was noted that due to Aldreth Road being fairly straight, the development was minimally visible from the road and was not visible until

almost adjacent to the site. The walls were highly visible when adjacent to the site. The control room was obscured from view from the public highway as it was located behind the walls. There was a byway opposite the site at a distance of approximately 500 metres, however it was considered that there would be no adverse impacts on long distance views.

The bricks and brickworks matched the house on the site, and the development was considered appropriate to the context of framing a large house and the end of a long, straight driveway. There were no other examples of grand houses set back at this distance in the immediate environment, so there were no concerns that this application would lead to other similar applications being approved and to gradual changes in the rural character of the area.

The Highways Authority had no concerns regarding impact on the highway network and the Internal Drainage Board gave no comments on the site in relation to the ditch.

On balance it was considered that the moderate impact on the street scene was not significant enough to warrant refusal, and the application was therefore recommended for approval.

Councillor Bovingdon noted that the wiring had not yet been completed and queried what measures were in place regarding the effect of the lighting on the road. The Planning Officer replied that she was not aware of whether the wiring was for lighting or another use such as security measures and the Planning Manager added that a condition could be added to the permission requiring details of the lighting.

In proposing that the Officer's recommendation for approval be accepted, Councillor Bill Hunt said that where he saw the footpath, it was his view that it was just underground services covered by material; with the footpath being made smoother, it would improve highway safety. He had driven past the location and never noticed it. He was aware that, on occasion, there had been thefts from farm buildings, and so he thought that the gates would help to prevent any further thefts. This was the applicant's free choice and he believed that Members should welcome change and difference; this was a bit of 'differentness' and he applauded it.

Councillor Tom Hunt concurred, saying that a retrospective application was not ideal, but he was extremely sympathetic, and he duly seconded the motion for approval.

Councillor Rouse expressed his support for the proposal, saying that the scheme was about aspiration, much as went on in Georgian or Victorian times.

Councillor Beckett reiterated Councillor Bovingdon's comments regarding lighting and said that the Authority should keep track of what was being installed. The Chairman assured him that a condition could be added to the permission and the application could be brought back to Committee.

There being no further comments, the Committee moved to the vote and,

It was resolved:

That planning application reference 16/01556/FUL be APPROVED subject to the recommended condition as set out in the Officer's report and the imposition of an additional condition regarding details of lighting.

123. 16/01662/OUN – LAND ADJACENT 67 MILDENHALL ROAD, FORDHAM

Andrew Phillips, Senior Planning Officer, presented a report (R255, previously circulated) which sought outline approval for 79 dwellings (five self builds) with access and layout to be agreed at this stage. The developer was seeking to provide 40% affordable housing and a large area of open space (seeking to give it to the Parish Council, with access for school children).

It was noted that the application had been brought before the Planning Committee due to the Council's Constitution and the size of the development.

The application site was an open field with mature planting that defined the edges, with the public highway defining the southern boundary. There was a variety of building heights in the area, ranging from single to two storey.

A number of illustrations were displayed at the meeting, including a map, an aerial photograph highlighting the application site, the layout and design of the proposal, and indicatives relating to highway safety and parking, and the S106 and contributions.

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

- Principle;
- Highway Safety and Parking;
- Design of the Proposal; and
- S106 and Contributions.

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

The Committee noted that site was adjacent to the established development framework of Fordham. The emerging Local Plan was seeking to increase the residential development in this area to 30 dwellings, but as the Plan was in its early stages very limited weight should be given to it.

The scheme would lead to a substantial increase in the housing stock in the Fordham area, providing housing for both the open market and affordable housing for local people. No objections had been received from the County Council in respect of the impact of the proposal on the local schools or road system.

The proposal was considered to be acceptable in principle, but the application would still have to be judged against all other relevant policies.

With regard to highway safety and parking, the County Council Transport Team and Local Highways Authority had no objections. With adequate visibility splays and the main spine road built to adoptable standards, it was considered that the proposal would not have any detrimental impact upon existing vehicles, cyclists, pedestrians or future occupants within the development.

Speaking of the design of the proposal, the Senior Planning Officer said that the gross density of the scheme was 11.3 dwellings per hectare, with approximately 50% given over to public open space. The layout had been designed so that dwellings would face roads and/or public open space.

The creation of such an oversized public open space being offered to the Parish Council was a huge benefit, as it changed half the site from private land to public open space. It was reiterated that if the Parish Council did not want the public open space, then it would need to be offered to the District Council and then to a management company. The public open space and included water drainage would need to come with a suitable maintenance contribution, so as not to put a drain on the public purse. Additional money would also be sought as the developer had not provided a clear idea of what the public open space would be and future pitches would add to the cost of the open space.

Negotiations would need to take place to ensure the right balance of affordable housing, education contributions and open space. The development would be liable to Community Infrastructure Levy (CIL). The public open space would need to include SUDs; the maintenance contributions and ownership would form part of the S106 Agreement.

It was noted that Mr John Pryke, a resident of Fordham, was unable to attend the meeting but had asked for a statement to be read out in his absence. Therefore, with the agreement of the Chairman, the Democratic Services Officer read out the following statement on behalf of Mr Pryke:

*'As a resident of Fordham, I am asking the Planning Committee to refuse this application on the following grounds:
The committee would have read the comments of Fordham Parish Council, which I totally agree with, but do not consider they go far enough.
In the already adopted plan Local Plan of 2015, this site FRD3 was shown as having 10 dwellings in spite of the land owner wanting more.
In the new draft local plan, it is shown as frontage development.
The application as proposed will extend housing into the open countryside which is so valuable in this part of the village. It shows 5 access points onto Mildenhall Road, crossing a cycle way and part of the route to school for many children.'*

The increase in traffic will be enormous and the roads in the village will be under even more pressure than they are now (approx 700 vehicles per hour at peak time).

This road is used by traffic to and from Mildenhall plus the A11 and A14.

It is well known that landowners and developers are taking advantage of the situation while a new local plan is being prepared on the dubious grounds that the ECDC cannot demonstrate it has sufficient land supply for the next 5 years.

They should be made to wait until the new plan is approved which will be in accordance with the wishes of the community.

The application shows very little parking for residents and visitors in spite of the latest revision, which I believe, will result in parking on the Mildenhall Road.

I ask that the committee refuse this application in its present form and suggest a future application for frontage development only as shown in the new draft local plan with one access point from Mildenhall Road and the dwellings to be served by an access point behind the boundary hedge.

The committee may not be aware but there will no doubt be an application by Gladmans for up to 100 houses on the same road. If this application is approved, it may well be difficult for the committee to refuse that application.

Fordham is facing unprecedented levels of development which is simply unsustainable for a community of 2500 people. The village centre road is unable to cope with the current level of traffic and the remaining infrastructure will not be able to cope i.e. School etc.

Already approved outside the local adopted plan (and since 2015) are 37 dwellings in Station Road. The proposals to come to this committee in addition to this one, are up to 100 in Mildenhall Road, 150 at Scotsdales Garden Centre, Soham Road and a further 16 off the Soham Road.

This will be a total of 380 plus new homes for a village with inadequate road structure and other infrastructure. This is simply not sustainable.

I realise that you are only able to consider the applications before you but I ask you once again to refuse this application as it stands and follow the proposal in the draft local plan.'

At the invitation of the Chairman, Mr Stewart Moffat, applicant, addressed the Committee and made the following points:

- He was a Fordham resident and the owner of the site;
- He thanked Officers for a pragmatic and balanced report;
- He wanted to ensure that the land would benefit people and he felt the development would create a benefit for the whole community;
- The proposal was for 79 dwellings;
- All interested parties wanted a larger scheme and this project would provide a unique opportunity to provide public space in Fordham that would be the equivalent of four large football pitches;
- The remainder of the site would be low density and have 40% affordable housing;

- The public open space would represent a huge benefit to the village and the Parish Council had been consulted on its usage;
- There were concerns about ongoing costs;
- The forest site would give children a chance to go out into the fresh air and discover creepy crawlies etc;
- The County Council was seeking a contribution for education, but it was difficult to see how this would be viable.

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

Councillor Beckett asked whether the affordable housing included the self build element. Mr Moffat replied that self build would be private housing and the Senior Planning Officer confirmed that affordable housing would be 40% of the whole 79 dwellings.

The Chairman noted that the applicant was donating a wooded area to the school and asked if the school had lost some of its recreation ground. Mr Moffat said the land had been lost during the expansion of the school.

At this point the Chairman informed the Committee that Parish Councillor Malcolm Roper was unable to attend the meeting and had requested that a statement be read out in his absence. Therefore, with the agreement of the Chairman, the Democratic Services Officer read out the following statement on behalf of Parish Councillor Roper:

'Mr Chairman and Committee Members I am Malcolm Roper the Vice Chairman of Fordham Parish Council and I apologise for not being able to speak to you directly at this meeting due to a family funeral.

The application before you is of great concern to the Parish Council.

Firstly and most seriously is the blatant misleading comment in paragraph 7.12 of the Planning Statement prepared by Howes Percival on behalf of the applicants.

There were at the request of the applicants in committee meetings at the Village Hall. At no time did Members express any views or opinions in respect of support or welcome of the open space and accept the need to increase the housing numbers to ensure the viability of the scheme. Members just asked questions about the proposals and mainly about the open space on offer.

To have done so would have been seen as predetermination and Members would not have been able to vote when the application came before the Parish Council.

Also paragraph 7.13 is suggesting that the Parish Council is unlikely to support the loss of affordable housing and public open space if on offer. The Parish Council has no appetite to take on any more open space due to the doubtful need and costs. It already has a substantial recreation Ground.

Frontage development of 30 dwellings with 40% affordable homes would be preferred.

I ask the Committee to disregard both those paragraphs.

In 2016 the Chairman made a public statement concerning growth in Fordham following the Parish Conferences regarding the new Local Plan. The advice given at the conference for Fordham was 20% growth. The Chairman's statement proposed that Fordham Parish Council should adopt a strategy which continues to have low growth in the village with the aim of a total of 240 new homes which should mainly be affordable homes for the residents of Fordham. This is 129 more homes than in the approved Local Plan of 2015.

The Parish Council recognise that development is required in its village but it should determine where development is most suitable to take place and not be determined by developers and speculators, after all we are part of this community.

This is a greenfield site and currently used for agricultural purposes. The proposal encroaches into the open countryside. The Parish Council has always resisted development of this field for this reason, which was also recognised by the Inspector, Mr Hetherington, for the 2015 adopted Local Plan who only included a small part of this field in that plan FRD3. Therefore it is contrary to the adopted Local Plan and the current draft Plan which shows only frontage development on this part of Mildenhall Road.

It is contrary to the local built form.

The Parish Council is not against development on this site and would support a frontage development as shown in the draft Local Plan which would link up the village. There are more appropriate sites elsewhere with developers and landowners on these sites.

The transport assessment by MTC Engineering states that the proposal would generate an extra 467 vehicles daily. MTC used TRICS to calculate the additional traffic generated by this development. What it does not take into account is that this is a designated lorry route from the A11, A14, and A142. An increase of this size would simply be unsustainable at peak times through the village.

The census shows that 5.5% of the residents will walk, 3.5% will cycle and 2.9% will use public transport. What is omitted is that 88.1% will use their cars.

If the Committee approve this application it will create a precedent for the Gladman Land application soon to come before you on the opposite side of the Mildenhall Road. With planning approval already granted since 2015 on other sites elsewhere in the village for 58 homes and proposals for 150 homes on the garden centre and 16 for the extension to Rule gardens this would bring the number of new homes near to the target of the Chairman and if the Committee approves this application as it stands then it would bring the total over the target at 303 and if Gladman Land are successful the total would be 403, well above the wishes of this community.

To summarise, the Parish Council ask you to refuse this application as it is shown but suggest that if an application for frontage development only with 16 – 30 homes and one access point were submitted this would be considered favourably by the Parish Council and meet the Chairman's target of 240 homes.

Thank you for listening to this statement.'

Councillor Bill Hunt enquired whether the statement was a formal response from Fordham Parish Council. The Chairman asked Councillor Huffer if she was able to shed any light on the matter and she replied that the statement had not been compiled or approved by her. She was not sure where it had come from, but it did not represent the views of the whole Parish Council. The Legal Services Manager was then asked for an opinion and she drew Members' attention to page 2 of the Officer's report which stated that the Parish Council had concerns regarding the proposal.

The Chairman said the problem arose in that current practice was not uniform for parish councils. Councillor Roper was often delegated to express views, and in the absence of anyone being able to confirm otherwise, the statement would be accepted as a view expressed by Fordham Parish Council.

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

- Fordham was a wonderful village with lots of facilities but teenagers were not catered for;
- There had been a delegation of youngsters who wanted the site to happen and this would be an opportunity for them to engage with the community;
- Parish Councillor Roper was inaccurate in saying that there was no appetite for the scheme, a large percentage of the Parish Council would support it;
- The landowner was being very generous in donating the land for the benefit of the whole village;
- At present there was nothing in the village for young people to do, so here was the chance to do something about it;
- She was giving the proposal her total support.

Councillor Beckett asked if this development would help to adjoin the built form and join the village together. Councillor Huffer advised that the school had been extended and it needed to be filled with children

Councillor Tom Hunt asked Councillor Huffer whether a vote was taken on the proposal. She replied that there was a vote, but many of the Parish Councillors did not see things from a young person's point of view. It was very close (5-4) and the Parish Council voted against the scheme.

Referring to the Transport Assessment Team's request for a condition requiring the developer to provide six one day travel vouchers to the occupiers of the new dwellings, the Chairman asked the Senior Planning Officer if this was standard practice. The Senior Planning Officer replied that he had never seen it used in a scheme of this size.

Councillor Bill Hunt declared himself to still be muddled as to why County Education was asking for a contribution when the extension to the school had already been built. The County Council had a duty to provide education in this District and the school could cope.

The Planning Manager informed Members that the education contribution was an ongoing matter and she would be having a meeting with County Education next week to discuss the matter.

Councillor Rouse said he was not pleased with the County Council asking for a retrospective contribution to education. He appreciated Councillor Huffer's input to the discussion and thought this application had the potential to be an attractive scheme for Fordham. It would create an area of parkland and could offer something for all ages, and he was minded to support the proposal.

In proposing that the Officer's recommendation for approval be supported, Councillor Tom Hunt thought that the Parish Council had an obligation to find a way to make the scheme work. CIL would cover funding and the 40% level of affordable housing could be reduced and a contribution made to address this. The scheme would provide 79 dwellings and there was no significant local opposition; this was an opportunity not to be missed.

Councillor Bill Hunt declared his total support for the proposal, saying it would go a long way towards uniting Fordham.

Councillor Bovingdon seconded the motion for approval, expressing his thanks for the application and the landowner's view of it being for the benefit of the village.

The Chairman agreed, saying the scheme was unique in that it was offering such a huge area for play and recreation; the landowner was to be commended and celebrated. There was a certain amount of disquiet regarding the development, but it should be remembered that there was a national housing crisis. Members were to be commended for being open minded in their approach to this application.

Councillor Beckett said that as a Committee, it should be possible to send out a message that this scheme would be in keeping with its rural location and close to amenities, all of which would enhance and help the village. Members did not want to see applications that took advantage; this application was what the Committee was looking for.

Councillor Cox agreed that it was an excellent scheme but urged caution regarding what might be put in the open space.

There being no further comments, Members returned to the motion for approval, and when put to the vote,

It was resolved unanimously:

That the Planning Manager be given delegated authority to approve planning application reference 16/01662/OUM subject to the completion of a S106 Agreement and the conditions as set out in the Officer's report.

124. 16/01680/OUT – LAND SOUTH OF 1 STATION COTTAGES, STATION ROAD, WILBURTON

Ruth Gunton, Planning Officer, presented a report (R256, previously circulated) which sought permission for the erection of two detached dwellings with all matters reserved, apart from access.

It was noted that the application had been called in to Planning Committee by Councillor Charles Roberts, because the location of the site outside the development envelope presented a special situation.

The site was currently an open field with a drainage ditch running adjacent to the front (west) boundary. It was located to the north of Wilburton and approximately 1.1 miles from the closest part of the development envelope of the village.

A number of illustrations were displayed at the meeting, including a map of the application site, an aerial photograph indicating the access point, the site plan, and photographs relating to the principle of development and visual impact.

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

- Principle of development; and
- Visual impact.

Members had already been reminded of the Council's current position regarding the ability to demonstrate an adequate 5 year supply of land for housing. The Planning Officer said she would therefore not expand on this as Members were already very well rehearsed on the matter.

Speaking of the location of the application site, the Planning Officer reiterated that the vast majority of the route was a 60mph road with no pedestrian footpath until just outside the development envelope. There were a very small number of buses linking with Cambridge, Ely, Impington, March and Chatteris on six days of the week, but the nearest bus stop in Wilburton was approximately 1.2 miles from the site. This meant that the occupants of the proposed dwellings were very likely to depend on a vehicle to access the services and facilities of the village and beyond and they would not be able

to safely walk into Wilburton along Station Road. A byway ran from close to the site into the north of Wilburton but it was not considered reasonable to rely on this for accessing shops, childcare/schools, and work.

The existing dwellings which were clustered around the corner of Station Road were not considered to form a substantial grouping or settlement and were therefore considered 'isolated' from nearby villages and services.

Recent upheld appeals in Isleham and Little Downham showed that significant weight could be given to sustainability.

With regard to the visual impact on the amenity and character of the settlement, it was considered that the two proposed dwellings could be constructed without significant harm to the street scene.

Whilst development in this location was not desirable as it incrementally urbanised the area which was considerably rural at the moment, the site was between two existing residential sites and was not extending into the countryside. It was therefore considered that there would be no significant harm to the character of the area.

Members noted paragraph 7.4 of the Officer's report, which set out the other material considerations to be taken into account. The Planning Officer said that whilst the development was achievable, subject to conditions, the proposal did not meet the exceptions stated in paragraph 55 of the NPPF, and was therefore recommended for refusal.

At this point the Chairman left the meeting and Councillor Rouse, Vice Chairman, assumed the Chair for the remainder of the meeting.

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

- This application had an identical issue to that of the 20 Northfield Road proposal;
- The Officer's report set out the material considerations and exercised planning balance;
- Visual amenity, highways, residential amenity, ecology, parking and flood risk were all okay. Officers had only recommended refusal because of where the site was located;
- Paragraph 55 of the NPPF only applied to isolated, single houses, and there was a group of houses at the corner of Station Road;
- A policy of limited infill meant that if all the boxes were ticked, permission was granted;
- The clue was in the name – Station Cottages;
- Those choosing to live in the countryside knew what to expect;

- Overall it was about planning balance and the Authority could not demonstrate a 5 year supply of housing land;
- The disadvantages of the proposal had to outweigh the advantages, and he did not believe they did.

Councillor Tom Hunt proposed that the Officer's recommendation for refusal be rejected, and that the application be granted planning permission as he felt there was enough space for two houses on the site and there was existing built form in the vicinity.

Councillor Beckett agreed, saying that he could see no demonstrable harm. However, he did ask that if the application was approved, there should be a condition imposed requiring cars to leave the site in forward gear, due to the bend in the road.

Councillor Bill Hunt seconded the motion for approval. He said there was a local community there and the location was on the route for refuse and postal service vehicles. The speed limit would be no problem as there was a walking route which people used.

There being no further comments, the motion was put to the vote and,

It was resolved unanimously:

That planning application reference 16/01680/OUT be APPROVED for the following reasons:

- Members believe there is no significant or demonstrable harm;
- It is in a sustainable location; and
- It will contribute to the District's 5 year supply of land for housing.

It was further resolved:

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

125. 17/00055/OUT – LAND REAR OF HYTHE HOUSE, THE HYTHE, LITTLE DOWNHAM

Catherine Looper, Planning Officer, presented a report (R257, previously circulated) which sought outline planning permission for a two storey dwelling, double car port, domestic curtilage, 3No. stables and tack room, along with associated access and site works.

It was noted that the application had been called in to Planning Committee by Councillor Anna Bailey, the details of which were set out in paragraph 5.1 of the Officer's report.

The application site was located well outside of the designated development envelope of Little Downham, and as such, was considered to be a countryside location. There were two houses to either side of the site, although these were historic buildings. Although the site was not located within Flood Zones 2 or 3, these did extend closely to the rear of the location.

A number of illustrations were displayed at the meeting. These included a map, an aerial photograph showing the land surrounding the site, photographs of the street scene and existing site, and the layout of the proposal.

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

- Principle of development;
- Highways;
- Visual amenity; and
- Residential amenity.

The Planning Officer reminded the Committee that the Authority had recently refused an application for a dwelling on the site and this therefore formed an important material consideration when assessing the scheme. The only difference with the current application was the provision of a stable block to the rear of the site.

It was noted that the site was approximately 1.36 miles by road to the west of Little Downham. There were no pedestrian footpaths or street lighting on the highway between the site and the village and therefore people would have no choice but to walk on the highway. Public transport links were poor and future occupiers of the proposed dwelling would have to rely on the use of a car to access services and facilities. For these reasons it was considered that the proposal was unsustainable.

The Planning Officer reiterated that each application was assessed on its own merits and she highlighted two recent appeal decisions.

In the case of Cowbridge Hall, the Inspector identified that the effect of allowing a development in a functionally isolated location would result in unsustainable journeys. This was contrary to a core land use planning principle of the NPPF which seeks to actively manage patterns of growth to make the fullest use of public transport. It was also noted that the lack of public footpath and street lighting would be harmful to the safety of pedestrians.

The Inspector identified that existing development would not have been subject to the same policy considerations as at present, and therefore does not set a precedent that carries any weight.

A further appeal was also dismissed at 14 The Cotes in Soham. The Inspector concluded that the site was unsustainable due to inadequate public transport and public footpaths links, and the reliance on a car to access services and facilities.

Given the recent appeal decisions it was considered that the proposal was an unsustainable form of development.

The impact on residential amenity could not be fully considered at this stage as the full details of the development were not included within the outline application and these would be assessed at the Reserved Matters stage. However it was unlikely that significant impacts would be created due to the distances to the site boundaries.

Visual amenity would also be fully assessed as the Reserved Matters Stage as the full details for the proposal were not included within this application.

With regard to Highways, the site could comfortably accommodate an adequate vehicular access, with sufficient room to manoeuvre and park. There was adequate visibility for vehicles entering and exiting the site, and the Local Highways Authority had raised no objections.

In connection with other matters, Members were reminded that the Ward Councillor had made reference to another application outside Little Downham where permission was granted for a dwelling. Since this permission was granted, the two appeal decisions previously referred to had been received and formed material planning considerations, as does the previous refusal of planning permission on this site.

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

- The application site sat within The Hythe, which was a small hamlet of 10 dwellings;
- Sustainability was subjective and the NPPF stated that there were three elements to sustainability, one of them being to promote healthy inclusive communities;
- The Council was currently unable to demonstrate a 5 year supply of housing land and other similar type of applications had been approved in the District. This one was no different;
- A large percentage of residents in East Cambridgeshire relied on the use of private motor vehicles;
- The site included 1.4 acres for paddocks and they would be tied to the ownership of the property;
- The proposal would be highly sustainable because the applicant would not have to travel to tend to his animals;
- There had been no objections from any of the consultees and the application had the full support of Councillor Anna Bailey;
- Although the proposal was outside the development framework, it was in a cluster of dwellings, which was common in this area;

- The proposal would be sustainable and have no adverse impacts as an infill plot;
- It was to be hoped that the Committee would take a common sense approach and approve the application.

Councillor Bill Hunt proposed that the Officer's recommendation for refusal be rejected and the application granted permission. He said the clue was in the site address, and The Hythe was almost a hamlet. Infill was within policy, the site was sustainable and there would be no danger from the road or elsewhere.

The motion for approval was seconded by Councillor Tom Hunt.

Councillor Beckett said that in rejecting the Officer's recommendation for refusal, he was worried the Committee was going against the criteria set out in paragraph 55 of the NPPF, and he wished his concern to be noted. Paragraph 55 seeks to avoid isolated new homes and this was an infill dwelling, so is not an isolated dwelling and is infilling a gap within an existing settlement/hamlet.

Councillor Rouse commented that he believed the proposal was sustainable because it was located within a cluster of buildings.

In the absence of any further comments, the Committee returned to the motion for approval and when put to the vote,

It was resolved unanimously:

That planning application reference 17/00055/OUT be APPROVED for the following reasons:

- Members believe it is a sustainable location; and
- It is considered to be an infill application.

It was further resolved:

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

Councillors Bill Hunt and Tom Hunt left the Chamber at 5.55pm.

126. 17/00070/FUL – 40 CAMBRIDGE ROAD, ELY

Catherine Looper, Planning Officer, presented a report (R258, previously circulated) which sought permission for the construction of a single storey garage on the site of a previously removed garage.

It was noted that the application had been brought before the Planning Committee as it concerned the home of a Council Member. In order to maintain transparency it was considered that delegated powers would not be suitable in the determination of this proposal.

The application site was located within the Conservation Area of Ely, and to the rear of the main dwelling. Whilst the main dwelling fronted Cambridge road, the rear of the site was accessed via a private road off Tower Road. The private road was fronted by parking and garage structures, and a very similar garage structure had been erected immediately adjacent to the site.

A number of illustrations were displayed at the meeting, including a map, an aerial photograph, photographs of the street scene and the existing plan, and a layout showing the dimensions of the proposal.

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

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

The Planning Officer said that due to its position, it was not considered that the proposed garage would create overshadowing or have an overbearing impact on any nearby residential dwellings. The proposed materials were sympathetic to those used in the construction of the host dwelling and also the neighbouring garage. The design was similar to the neighbouring garage structure and the proposal was considered to comply with the Design Guide.

No objections had been raised by the Local Highway Authority, and the proposal retained two parking spaces, in line with Policy COM8 of the Local Plan 2015.

The proposal complied with planning policy and did not create any significantly detrimental effects on the residential amenity of nearby occupiers or on the visual amenity and character of the wider area. The application was therefore recommended for approval.

It was duly proposed by Councillor Bovingdon and seconded by Councillor Beckett that the Officer's recommendation for approval be supported. When put to the vote,

It was resolved unanimously:

That planning application reference 17/00070/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

Councillor Bill Hunt returned to the Chamber and Councillor Bovingdon vacated the Chamber at 6.05pm.

127. 17/00087/OUT – LAND OPPOSITE BARLEY COTTAGE, BARCHAM ROAD, SOHAM

Richard Fitzjohn, Planning Officer, presented a report (R259, previously circulated) which sought outline planning permission with some matters reserved, for the erection of 2No. detached dwellings. Matters of access and layout were to be considered as part of this application; matters relating to appearance, landscaping and scale were reserved.

It was noted that the application had been called in to Planning Committee by Councillor Carol Sennitt, as Barcham Road had always had housing and the site was viewed as a sustainable location for development.

The application site was located to the north of Soham outside of the established development framework. Barcham Road was a single car width road with no pedestrian footpaths, leading from the A142 along the edges of agricultural fields. Dwellings were spaced sporadically along Barcham Road within the vicinity of this site.

A number of illustrations were displayed at the meeting, including a map, an aerial image showing the surroundings in relation to the site, the accesses off the site and the proposed layout, and photographs in relation to principle of development, character and appearance of the area, residential amenity, and highway safety.

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

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

With regard to the principle of development, the Planning Officer said there had been recent appeal decisions within the District, the appeals having been dismissed for sustainability reasons. This site was considered to be an unsustainable location due to its distance from the settlement boundary and the town centre of Soham, in addition to the lack of a public footpath along Barcham Road which is a 60mph road.

Although full planning permission had recently been granted for a dwelling immediately opposite the site to the east, it was granted because outline permission was approved on the site prior to The Cotes appeal decision in Soham and other subsequent appeals. The principle of development had therefore already been established.

It was noted that the existing built form within close vicinity of the site was generally characterised by dwellings which were located at staggered intervals. The openness of the surrounding agricultural land contributed positively to the character of the area.

Two dwellings within this location would contribute to a sense of enclosing to that part of Barcham Road, and would not be consistent with the

existing street scene or the rural and open character of the area. Furthermore, the existing dwellings were located generally at intervals and were not considered to form a substantial grouping to which the proposed dwelling would adhere.

It was therefore considered that the proposal was contrary to Policies ENV1 and ENV2 of the Local Plan and this reason was significant enough to warrant refusal of planning permission.

In terms of residential amenity, the proposed dwellings could be accommodated within the site without creating a significant detrimental impact upon neighbouring properties.

Speaking of ecology, the Planning Officer said that the site was located within close proximity to two ponds. However, an ecological appraisal had recently been carried out which confirmed that both ponds were unlikely to provide aquatic habitat for Great Crested Newts.

The proposal sought to remove part of the hedging along the eastern boundary of the site to accommodate the vehicular accesses. The Trees Officer had no objection to the application, stating that the trees and vegetation within the site were insignificant.

Ecology enhancements could be provided through landscaping which is a reserved matter.

Although it had not been included within their formal consultation response, the Council's Environmental Health department had stated that there was potential for noise impact on the proposed dwellings from the A142. However, these issues could be mitigated through internal layout of rooms and noise mitigation measures.

If Members are minded to approve the application, it was recommended that a condition be appended to the planning permission requiring a Noise Report to be submitted to, and noise mitigation measures to be agreed with, the Local Planning Authority.

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

- Barcham was considered to be a hamlet of Soham and the issue of sustainability was very subjective;
- The NPPF stated that there were three elements to sustainability, one of them being the social role of creating strong healthy communities;
- The reliance on the use of a motor vehicle was no longer a valid reason to refuse an application on the grounds of sustainability;
- A large percentage of residents in East Cambridgeshire relied on the use of private motor vehicles;

- The Council was currently unable to demonstrate a 5 year supply of housing land and other applications similar to this one had been approved last month;
- This proposal would be far less visually intrusive;
- The road is a national speed limit although a speed survey shows 33mph;
- A public footway would give safe access to the bus stop on The Shade and the new Marks & Spencer shop was only 450 metres away;
- A person living here would understand country living. Not everyone wanted to live in an urban location;
- At Forest Heath District Council, an Inspector had allowed an appeal saying '*... reducing travel by car is no longer one of the expressed main concerns of Government policy ... Those living in rural areas will not have the same travel choices as those in a town.*'
- He considered the proposal to be sustainable and compliant with paragraph 14 of the NPPF.

Councillor Rouse asked for clarification because he believed that the planning history shown in the Officer's report did not relate to this site. Having checked, the Planning Manager apologised, saying that it related to adjacent sites; in future it would be made clear within the reports as to whether the site history related directly to the site or adjacent sites.

Councillor Beckett said he recalled that when going past the site, it was often half under water and he wondered how this would be addressed. The Planning Officer replied that the Internal Drainage Board had said provided soakaways formed an effective means of surface water disposal in this area, they would not object to the application. In addition, percolation testing could be carried out through planning condition.

Councillor Beckett continued, saying that he struggled with the site. It was beyond the development boundary and he believed there would be a visual impact on the street scene; he was therefore minded to agree with the Officer's recommendation for refusal.

Councillor Bill Hunt disagreed; he believed that on balance, the scheme was sustainable because it would be near a garage and bus stop, and there was a safe footpath along Barcham Road. He proposed that the Officer's recommendation for refusal be rejected and that the application be granted approval.

Councillor Edwards seconded the motion and when put to the vote, it was declared carried, there being 4 votes for and 2 against.

It was resolved:

That planning application reference 17/00087/OUT be APPROVED for the following reasons:

- Members believe it is in a sustainable location;
- It is within walking distance of shops and a bus stop; and
- There are a substantial number of houses nearby.

Councillor Bovingdon returned to the Chamber at 6.20pm.

At this point, Councillor Rouse announced that he would leave the Chamber, as he had already declared an interest in the next planning application; Members would therefore need to elect a Chairman to deal with the item in his absence.

Councillor Rouse left the Chamber at 6.22pm

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

Councillor Beckett assumed the Chair.

128. 17/00272/VAR3M – LAND AT BARTON ROAD CAR PARK, BARTON ROAD, ELY

Andrew Phillips, Senior Planning Officer, presented a report (R260, previously circulated), which sought to vary the previously approved plans, which included a variety of changes to the design of the proposed dwellings as stated within the Design and Access Statement, dated March 2017.

These changes included minor alterations to the profile of the building's walls and roof line; more glazing on the ground floor rear elevation (following open plan dining/kitchen area); removal of the rear second floor dormers with roof lights; side wall alignment; change to chimney stack design; removal of chimney and alterations to front door design (fan light).

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

The site was located on the Barton Road public car park, within the Ely Conservation Area and on the opposite side of the road was a school playing field.

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

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

- Principle; and
- Proposed changes.

The principle of development had already been fully considered within 15/01417/F3M and was deemed to be acceptable, with the previous approval setting the overall design parameters and conditions. The Access Group had recommended refusal of the application on new grounds as the opening of garage doors might interfere with cars manoeuvring in the car park but it was considered that little weight should be attached to this as this had already been approved.

Members noted that the change from rear dormers to roof lights would be visible from the Barton Road car park, but it was considered that this would make the rear elevation simpler and more uniform. The minor changes to the roof slope and slightly changing the wall line was considered to be acceptable, as the changes did not affect the overall design of the building. All other changes were considered to be of a very minor nature and would have no material impact upon the final character or quality of the development.

Councillor Bovingdon said this was very straightforward and proposed that the Officer's recommendation for approval be accepted; the motion was seconded by Councillor Edwards. When put to the vote,

It was resolved unanimously:

That planning application reference 17/00272/VAR3M be APPROVED subject to the recommended conditions as set out in the Officer's report.

Councillor Rouse returned to the Chamber at 6.25pm and resumed the Chair for the remainder of the meeting.

129. PLANNING PERFORMANCE REPORT – FEBRUARY 2017

The Planning Manager presented a report (R261, previously circulated) which summarised the planning performance figures for February 2017.

It was noted that the majority of targets had been achieved, although householder applications were slightly behind.

There had been an influx of applications for sites that were not carried forward as part of the latest rounds of consultation for the Local Plan, some of them being for large schemes.

With regard to appeals, the Committee noted that an appeal had been received for 11 Bernard Street, Ely; the Planning Manager said she would keep Members updated. The appeal in respect of 16 Hempfield Road, Littleport had been dismissed, and the Authority would now move forward to enforcement action. In future, appeal decisions would be emailed to Members for information.

The Planning Manager announced that Zoe Boyce-Upcraft, Planning Assistant, would be joining the department tomorrow (6th April).

Councillor Beckett congratulated the Planning Team on their efforts, saying he appreciated the large number of applications that were coming in; the enforcement figures looked particularly good.

Councillor Bovingdon noted that sustainability was being raised at Committee time and time again. He asked if it would be possible for an application to be automatically referred to Committee if sustainability was an issue. The Planning Manager replied that this would require a change to the Council's Constitution, and would have to go to full Council for agreement.

It was resolved:

That the Planning Performance Report for February 2017 be noted.

The Chairman brought the meeting to a close by thanking Members and Officers for their attendance on what had been a long day.

The meeting closed at 6.30pm.