



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 July 2017 at 2.00pm.

P R E S E N T

Councillor Mike Rouse (Vice Chairman in the Chair)
Councillor Christine Ambrose Smith
Councillor Derrick Beckett
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Neil Hitchin (substitute for Councillor Joshua Schumann)
Councillor Bill Hunt (substitute for Councillor David Chaplin)
Councillor Tom Hunt
Councillor Stuart Smith
Councillor Lisa Stubbs

OFFICERS

Julie Barrow – Senior Planning Officer
Tim Driver – Planning Solicitor
Richard Fitzjohn – Planning Officer
Oli Haydon – Planning Officer
Catherine Looper – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Lorna Dupré
Councillor Mark Hugo
Approximately 25 members of the public

20. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Sue Austen, David Chaplin, Lavinia Edwards, and Joshua Schumann.

It was noted that Councillor Neil Hitchin would substitute for Councillor Schumann, and Councillor Bill Hunt for Councillor Chaplin for the duration of the meeting.

21. DECLARATIONS OF INTEREST

Councillor Lisa Stubbs declared an interest in Agenda Item No. 6 (16/01772/FUM, Land Adjacent 43 Mepal Road, Sutton), being a Ward Member for Sutton. She said she would come to the application with an open mind.

22. MINUTES

It was resolved:

That the Minutes of the Planning Committee meeting held on 7th June 2017 be confirmed as a correct record and signed by the Chairman.

23. CHAIRMAN'S ANNOUNCEMENTS

- Agenda Item No. 12 (17/00652/FUL, 2 Gravel End, Coveney, CB6 2DN) would be taken immediately after Agenda Item No. 10 (Land Adjacent 2 Gravel End, Coveney), as the sites were adjacent to each other;
- Members were reminded of the East Cambs Access Group's event regarding 'A Boards'. There would be two sessions today at the Cathedral Centre, at 3.00pm and 6.00pm;
- For the benefit of all present, the Chairman reiterated that today's agenda was very full. Members had studied the reports, made site visits and would approach each application with an open mind. He hoped the Committee would be able to move to decisions fairly quickly without Members being rushed, and every case would receive a fair hearing.

24. 16/01136/OUM – LAND NORTH OF 22 MARROWAY LANE, WITCHFORD

Andrew Phillips, Senior Planning Officer, presented a report (S38, previously circulated) which sought outline approval for up to 55 dwellings (30% affordable) with access through the adjacent development (15/01100/VARM) onto Field End. While the outline application was seeking all matters to be reserved, the road entrance to planning application 15/01100/VARM had already been approved, although the internal road layout had not. The proposal also included public open space, drainage and other associated infrastructure.

It was noted that the application had been brought to Planning Committee due to the Council's scheme of delegation, and at the request of Councillor Steve Cheetham.

A number of illustrations were displayed at the meeting, including a map indicating the location of the site, an aerial image, indicatives of the proposed layout and potential options relating to noise attenuation.

The Senior Planning Officer stated that the developer was advised to delay determination of the application until after the appeal on the adjacent site 16/01019/RMM, but the developer wished to seek a quicker determination.

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

- Principle of Development;
- Residential Amenity;
- Visual Impact;
- Highway Safety/Capacity.

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

This site had been put forward in the emerging Local Plan for approximately 50 dwellings, but as the emerging Plan was in its early stages, very limited weight should be added to it, as this policy could be significantly changed before the end of the year.

The location was considered to be sustainable with easy access to the services and facilities in Witchford, and the proposal was considered to be acceptable with regard to the principle of development.

In terms of residential amenity, it was noted that the steep bund option had been rejected on the adjacent site due to the steepness of the slope design and the issues relating to the maintenance of the bund.

The indicative layout showed that to fit 55 dwellings on the site, a large proportion would need to back onto the A142. All of these dwellings would be located in the area where it would not be possible to have habitable first floor windows facing northwards or the requirement for mechanical ventilation in order to allow ventilation when windows should remain closed. It also appeared that the developer had failed to provide sufficient space to allow for a natural sloping bund to be built along the northern boundary.

Members were advised that the Environmental Health Officer (Scientific) had not raised any concerns in regards to air pollution.

Officers felt that the scheme would provide unreasonable constraints on future occupants who were seeking to live in a rural district and it would require high boundaries along the northern edge or a very steep bund. The bund would not count as public open space, as noise levels would be too high for this space to be enjoyed by residents.

The proposal was considered to be overdevelopment of the site as it would require urban mitigation techniques in the rural countryside. These measures were not required where there was a proportionally large amount of deliverable space and a smaller scheme could be accommodated on this site. Officers believed the proposal would have a significant and detrimental impact on future residents in relation to noise pollution and living conditions due to an oppressive internal living arrangement.

Speaking next of visual impact, the Senior Planning Officer stated that apart from the significant concerns over the northern landscape buffer, it was considered entirely possible for a suitable design to be brought forward at the reserved matters stage.

The Committee noted that the developer had relied on traffic surveys undertaken in late 2013 and these were not considered to provide an accurate reflection on the current road system. Although a development of 55 dwellings was not of itself considered to be large, the overall amount of development in Witchford combined with this scheme would have a significant effect on the local road network. This was considered to be a reason for refusal.

On balance it was considered that the harm would demonstrably outweigh the public benefits of the scheme.

At the invitation of the Chairman, Mr John Londesborough, on behalf of the applicant, addressed the Committee and made the following points:

- The principle of development was acceptable with regard to adopted policy and the five year supply;
- The proposal was sustainable because it was within walking distance of the village;
- The statutory consultees said the scheme was acceptable;
- The site was a proposed allocation in the new Local Plan;
- The Environmental Health Officer (Scientific) had not raised any concerns regarding air pollution and was acceptable in relation to noise mitigation as the windows would not be sealed and could be opened if required;
- It was not overdevelopment of the site, and with regard to visual design mitigation, the applicant believed that an acoustic fence could look like a high hedgerow. However, both options could be integrated into the area;
- Updated traffic data had been submitted, but the Case Officer had said that there was insufficient time to consult on it before this Committee meeting. The new data showed no unacceptable impact;
- The Officer's concerns were misplaced because there would be no harm arising from the development, it would deliver housing (including

30% affordable housing) and green space, and support for the local economy during the construction phase.

Councillor Stubbs wished to know how many of the homes would be unable to open their windows and the Senior Planning Officer informed her it would be approximately 25 of the dwellings.

At the invitation of the Chairman, Parish Councillor Ian Boylett, Witchford Parish Council, addressed the Committee and read from the following prepared statement:

'Witchford Parish Council considered this application at a meeting on 13th June 2017 when it formed its objections, set out in the Case Officer's report. It also notes and supports the objections raised by Ward Councillors Steve Cheetham and Mark Hugo along with those of residents of neighbouring properties, also set out in the report.

Members are specifically drawn to the following:

Noise: The applicant's reliance on an out of date traffic survey that does not take into account current traffic levels on the A142, the additional traffic volume resulting from proposed development at Mepal, Sutton, Ely and the A142 Ely Southern Bypass. The applicant's proposal to mitigate noise by occupiers keeping their windows closed and installing mechanical ventilation is unacceptable and would cause detrimental harm and loss of amenity to occupiers.

Air pollution: The applicant's plans show properties closer to the A142 than those proposed for the adjacent site, which Members refused (5th April 16/01019/RMM refers). The Parish Council remains concerned that the effects of diesel particulates, PM2.5s and PM10s, which have been shown to be detrimental to health have not been addressed. Public health England estimates particulate air pollution results in 25,000 deaths a year in England and the health impact of air pollution is thought to cost in excess of £8.5 billion a year.

Traffic generation: Witchford is served during the day by a 2-hourly bus service and as the village has no shop that meets villagers' daily needs, occupiers will inevitably rely on cars. The impact associated with the additional vehicles will add to the strain on Field End, Common Road and Victoria Green. There is a children's play area on Victoria green and villagers have already raised concerns regarding traffic volumes and speeds. The additional traffic will increase these road safety concerns. The Parish Council notes that access is yet to be via the adjacent development site (16/01019/RMM) for which approval of reserved matters has not yet been granted, therefore it believes it premature to be considering this application. It is also noted that it was recommended to the developer that the timeframe of this application be extended until December 2017 to allow the reserved matters for the adjacent site to be resolved.

Safeway: There is no provision on the north side of the development between the boundary and the A142 which would allow pedestrians to link up to the Rights of Way bisected by the A142. Nor is there provision of a path, following the Public drain Award, linking Marroway Lane, Orton Drive,

the adjacent development site and Field End, which is currently a Permissive Path. These should be requirements and met via S106 agreements or conditions should approval be granted either now or in the future.

Overdevelopment: Witchford Parish Council agrees with the Case Officer that the proposed numbers of houses compromises residential amenity, will cause harm to occupiers, is out of character with the area and overdevelopment.

The Parish Council asks Members to refuse the application on the grounds of unacceptable impact of noise and air pollution; unacceptable impact of additional traffic; unacceptable impact on residential amenity; and overdevelopment.'

In proposing that the Officer's recommendation for refusal be supported, Councillor Smith said the proposal was too close to the bypass, he had concerns about noise and mechanical ventilation, and he believed the scheme was overdevelopment of the site.

Councillor Beckett concurred, adding that Witchford had seen a significant amount of development over the last few years. This site was not supported by the Parish Council and should be refused.

Councillor Rouse advised that Witchford could accommodate some housing but this was overdevelopment and residents should not have to keep windows closed.

Councillor Bill Hunt seconded the motion for refusal, and in doing so, thanked Witchford Parish Council for their comments. He wished to underline what had been said because he too had concerns about air pollution and an increase in particulates. There was no up to date traffic survey and the scheme would see a significant increase in traffic. As for having to keep windows shut, he felt this was akin to something out of the Dark Ages and messing with the fabric of society. There were already very good reasons to refuse this application and he asked that an additional reason for refusal should be the applicant's failure to take into account the Ely Southern Bypass and the pollution from particulates that would arise from it.

The Planning Manager reminded Members that there was no evidence or professional support regarding concerns about air pollution.

When put to the vote,

It was resolved unanimously:

That planning application reference 16/01136/OUM be REFUSED for the reasons given in the Officer's report and the additional grounds of air pollution from the A142, taking into account the soon to be completed Ely Bypass.

25. 16/01772/FUM – LAND ADJACENT 43 MEPAL ROAD, SUTTON

Julie Barrow, Senior Planning Officer, presented a report (S39, previously circulated) which sought consent for the construction of 77

dwellings for residential use together with the access, associated landscaping, parking and infrastructure.

On a point of housekeeping, Members were asked to note an administrative error in the report. It showed the Ward as being Downham Villages, and the Ward Members as being Councillors Anna Bailey and Mike Bradley. This was incorrect; the site was in the Sutton Ward and its Members were Councillors Lorna Dupré and Lisa Stubbs.

The Committee also noted that an additional neighbour comment had been received, raising concerns that were already set out in the report.

The application was originally submitted as a hybrid application with full planning permission sought for the construction of 77 dwellings on a site broadly the same as that now under consideration, and outline consent sought for up to 350 dwellings to the north and west of the current application site. Following receipt of a number of consultee comments regarding the hybrid scheme the applicant withdrew the outline element of the application and was proceeding at this time with only the full element.

The application site was located on the northern edge of the village and was currently used for agricultural purposes. The southern and eastern boundaries were defined by fencing and Old Mepal Road respectively. The northern and western boundaries faced out onto open countryside and the land to the south was predominantly in residential use with a mixture of ribbon developments and modern housing estates. The A142 was situated to the northeast of the site, beyond a wooded area on the edge of the village.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial image indicating the area of the site and another with an indicative visual overlay. There were also illustrations of the proposal showing linkages to the wider area, the position of the affordable housing, areas of public open spaces and elevations.

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

- Principle of Development
- Housing Density, Mix and Layout
- Public Open Space
- Visual Impact
- Traffic and Transportation
- Residential Amenity
- Flood Risk and Drainage
- Ecology and Biodiversity
- Other Matters

It was noted that the majority of the site was within the established development framework for Sutton and had been identified within Policy SUT1 of the East Cambridgeshire Local Plan as a housing allocation for the development of 50 dwellings.

With the Council currently being unable to demonstrate an adequate five year supply of land for housing, all local planning policies relating to the supply of housing had to be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development as set out in the NPPF. This meant that proposals should be approved unless any adverse effects of the development significantly and demonstrably outweighed the benefits.

Policy SUT1 within the current Local Plan required development proposals for this site to demonstrate how they fitted with the longer term plans for the area to the north of The Brook via an indicative Development Framework or broad concept plan for the whole area. The applicant had therefore submitted a Masterplan based on the original hybrid application, which included the provision of public open space, a SuDS pond, potential burial ground and football pitches.

In terms of housing density, mix and layout, the application proposed 77 dwellings, 23 of which were affordable units (30%). The applicant had stated that the precise mix of housing had been informed through market research and discussions with the Council's Senior Housing Strategy & Enabling Officer.

Policy SUT1 stated that approximately 2.5 hectares of land was allocated for 50 dwellings. This application sought consent for 77 dwellings on a slightly larger site, extending to over 2.8 hectares as the applicant was committed to developing the wider site and this first phase of development was seen as the financial enabler for the remainder of the land. The density of the development now equated to 27 dwellings per hectare (DPH).

With regard to the housing mix, Members noted that the 23 affordable dwellings would be made up of 16 two bed units and 7 three bed units. There had been much discussion regarding the provision of one bed units, but the applicant said the proposed mix was based on recent local market research and it met local need. The size of the two bed units was comparable to the HCA guidelines for a one bed unit. As the mix of affordable housing still met housing need, the Senior Housing Strategy & Enabling Officer had no objection to the proposal.

The layout of the development took into account the applicant's Masterplan and the location of significant areas of open space on the periphery of the development protected the rural edge of Sutton with no significant and demonstrable harm caused to the character and appearance of the area. Although the housing mix did not strictly accord with policy, it was not felt that this would warrant refusal of the application.

The Senior Planning Officer stated that Policy SUT1 required the provision of a minimum of 0.35 hectares of public open space on site, including a play area. This was based on a site of approximately 2.5 hectares and the construction of 50 dwellings. Based on the standards set

out in the Developer Contributions SPD, a proposal of this size should provide a total of 0.571 hectares of public open space. With the adjustment made for the removal of the SuDS corridor, the applicant was providing 0.522 hectares of open space. However, given that the wider site was expected to come forward and would include the provision of sports pitches and significant areas of public open space that would adjoin the current proposal, then a shortfall of 9% on the required open space could be considered acceptable.

The application site currently comprised an open field in agricultural use between the A142 and Sutton; this proposal would alter the character of the area, creating a more urban environment and extending the village of Sutton to the north. The northern and eastern edges of the site would be softened through the placement of the public open space and the proposal would be subject to a comprehensive landscaping scheme. When viewed from the north the dwellings would sit against a back drop of existing residential development and the density of the scheme would not be out of character with the built form to the south. Policy SUT1 clearly stated an intention for the wider area to be developed and the draft Local Plan Policy SUT.H1 did the same. If the wider area was developed the site would be encompassed by this development, but in the short to medium term it was considered that the 77 dwellings proposed could be achieved without causing significant harm to the character and appearance of the area.

The proposal would have an impact on the local highway network with the introduction of additional vehicles at key junctions within and on the edge of Sutton. However the number of additional movements was not considered to be significant and was unlikely to result in a severe impact on the highway network. There had been no objections from Local Highways Authority regarding the access, and cycle and pedestrian links would be provided to the village.

The layout of the proposal indicated two parking spaces per dwelling. A number of dwellings were also served by private driveways and the applicant had sought to minimise tandem parking on the main routes through the site. On balance it was considered that the proposal complied with Policies COM7 and COM8 in relation to highway safety and parking provision, together with the elements of Policy SUT1 that related to traffic and transportation.

Turning next to residential amenity, the Committee noted that the layout had been designed in accordance with the East Cambridgeshire Design Guide SPD and it was considered that most future occupiers would enjoy satisfactory levels of amenity space and access to public open space.

The applicant had submitted a noise assessment which showed that the vast majority of the site would not be adversely affected by noise. However, plots 75-77 (on the very northernmost corner of the site) would be subject to high levels of road noise and these dwellings might require some form of mechanical ventilation.

The development of the site would result in some construction noise and disturbance and it was therefore proposed that a Construction

Environmental Management Plan be secured by condition prior to development commencing on site.

The site was located in Flood Zone 1 and a Flood risk Assessment and Drainage Strategy had been submitted with the application. Subject to conditions requested by the Lead Local Flood Authority (LLFA) regarding the next level of detail for the drainage strategy and the submission of a SuDS Maintenance Plan, it was considered that the applicant had demonstrated that an adequate drainage strategy could be put in place and that the proposal would not increase flood risk elsewhere.

The applicant had submitted a Preliminary Ecological Appraisal as part of the application process. Skylarks were recorded in the wider area during the survey and could potentially use the arable land within the site. The scrub and scattered tree habitat was also suitable for nesting birds, and therefore site clearance should only take place outside of the nesting season. Similarly the site was considered to have low potential for reptiles and any clearance works should only be undertaken after a check for their presence had taken place. With the exception of these precautionary measures it was considered that there were no ecological constraints that would prevent the development from taking place. Any loss of habitat could be partially mitigated by the installation of bird and bat boxes and this could be secured by condition.

Natural England had stated that the proposal was not likely to have significant effects on the Ouse Washes Special Area of Conservation, Special Protection Area and Ramsar site, and on this basis, had no objection to the development.

In connection with other matters, it was noted that a Waste & Materials Management Plan could be secured by condition. Anglian Water had confirmed in its pre-application advice to the applicant that the water supply to the proposed development could be provided from the existing mains in Mepal Road. Foul drainage was in the catchment of Witcham Water Recycling Centre that would have available capacity and the sewerage system at present had available capacity.

Concerns had been raised by a number of residents and the Parish Council regarding the capacity of the local school. The County Council had confirmed that the expansion of the primary school would accommodate the current proposal for 77 dwellings but the development of the wider site would require further consideration.

At the invitation of the Chairman, Mr Alex Clark, on behalf of Linden Homes, addressed the Committee and made the following points:

- Here was an opportunity to secure 77 properties, market and affordable;
- It was within the settlement boundary and in both Local Plans;
- It would be a gateway development with the potential for a bus route;
- The scheme to the north would, in time, bring more benefits;

- The Case Officer had made mention of 50 dwellings, but Linden Homes considered a density of 20 dwellings per hectare to be inefficient use of the land;
- There had been extensive consultation with the community and Councillors, and advice from the statutory bodies had been taken into account;
- The scheme would bring benefits to the community, including 23 affordable dwellings;
- The smaller properties would be ideal as starter homes;
- Hedges and trees would be retained within the landscape and there would be a new footpath link;
- The scheme would provide well built homes;
- A Masterplan had been submitted with the application and the proposal had due regard to local and national policy;
- The development would make a positive contribution to the local housing supply.

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

Councillor Beckett noted that the main road would be constructed to adoptable standards but wondered about the three other roads in the development. Mr Clark replied that the entrance to the north would be to adoptable standards but because of the way in which the site was to be drained, the County Council would not adopt the others even though they would be built to adoptable standards.

Councillor Stubbs had two queries. Referring to the 'extensive consultation with the community', she noted that the Parish Council supported the Local Plan for 50 dwellings and asked Mr Clark to comment on this. He said the site constraints and opportunities had been reviewed and the conclusion reached that 50 dwellings would be a very inefficient use of the land. With regard to the housing mix required, this was informed by the layout of the site and the numbers of dwellings.

Councillor Stubbs noted that the drainage would be managed by a private company and she wished to know whether the cost of the scheme would be passed on to occupiers as a service charge, and if this was the case, how much they would be charged. Mr Clark confirmed that there would be a service charge. Although he could not give a precise figure, he believed it would be less than £160 per annum, based on his experience of other schemes.

Councillor Beckett commented that he could not recall a scheme coming forward where water storage was under the road and he asked whether emergency vehicles and refuse collection trucks would be able to

use the roads. Mr Clark replied that Linden Homes would indemnify the Council against any damage.

Councillor Cox raised the issue of water storage and asked if Mr Clark was sure that there would be sufficient capacity to manage the flow once the site was developed. Mr Clark said he was confident that it could be done because the water would be held back at the lowest point.

At the invitation of the Chairman, Councillor Lorna Dupré, a Ward Member for Sutton, spoke in opposition to the application and made the following remarks:

- The site was allocated in the current Local Plan for housing development;
- This application proposed 77 dwellings , but another 350 could come forward and that would be in excess of what was in the current Local plan;
- The original application was a hybrid, but the applicant withdrew the outline element;
- These 77 proposed dwellings were intended to open up the site;
- Sutton was the fifth largest conurbation in East Cambridgeshire. The surgery was stretched and the secondary school was pressured;
- The junction with the A142 already had capacity issues;
- It was a matter for concern that the Case Officer had indicated that the County Council would be unable to adopt the roads within the development;
- The residents of Sutton were not opposed to a sustainable development.

The Chairman asked the Senior Planning Officer about school capacity and was advised that the school would be able to cope with the number of children expected from 77 dwellings but anything more would have to be the subject of discussion. She also confirmed that the density of the site was proportionate and it was what would be expected for this development.

Councillor Beckett said it seemed that the majority of the roads were to be unadopted and he was uncomfortable with this; it was too much. The Senior Planning Officer replied that the situation was not ideal, but she had to prepare a balanced report. It was her view that the benefits of the scheme would outweigh any harm; the drainage would not require maintenance and it was in the interests of the developer to maintain it for the future.

Councillor Tom Hunt said he found it hard to believe that there was less demand for smaller market units in Sutton. The Senior Planning Officer said she had had a conversation with the applicant and pushed things as far as she could. The evidence submitted by the developer indicated that there was not the same level of demand for smaller market units, and the Senior

Housing Strategy & Enabling Officer was happy with this. Although the housing mix did not strictly comply, the benefits of the proposal would attract significant weight in favour.

Councillor Beckett expressed his support for the development, saying it was nice to see the site coming forward in the emerging Local Plan. The density was reasonable and while he was not happy about the roads, the Officer had said there was no other way to alleviate drainage.

Councillor Bill Hunt disagreed, likening the proposal to a rabbit warren. He believed the application to be overdevelopment, saying there would be tandem parking with cars parking out on the road. Unadopted roads were unacceptable because if they were not adopted, it would cause aggravation 20 years down the line. He was unhappy about drainage being in the hands of a management company as people would be unhappy if service charges were to be increased. There was also the issue of increased traffic on the A142. He thought the scheme to be 'squashed in' and felt that there should be more two bedroom affordable dwellings; in all, he believed this to be a shabby proposal which abused Sutton Parish Council. He believed the application should be rejected.

Councillor Stubbs concurred, saying she was disappointed because there had been extensive consultation and discussion. The Parish Council had made it clear that it was willing to work with the developers but was recommending 50 dwellings on the site, in keeping with the current Local Plan. She felt that the unadopted roads and proposed drainage scheme would be at great cost to the future occupiers, and costs would probably increase in the future.

Councillor Tom Hunt reiterated his disappointment that the housing mix did not have enough small housing units, as more were wanted. Whilst the proposal would offer some benefits because of a lack of a five year supply of land for housing, the housing mix, unadopted roads and the local position made a decision tricky.

Councillor Ambrose Smith said she took on board the comments put forward by Councillor Bill Hunt, but the District needed more houses. She was unhappy about the roads and wondered what would happen if people refused to pay the service charge; on balance she supported approval of the application.

Councillor Hitchin reminded the Committee that Upherds Lane in Ely was an unadopted road and it was in a terrible state; he was therefore minded to support rejection of the application.

It was proposed by Councillor Bill Hunt and seconded by Councillor Stubbs that the Officer's recommendation for approval be rejected. When put to the vote, the motion was declared carried, there being 5 votes for, 4 votes against and 1 abstention.

It was resolved:

That planning application reference 16/01772/FUM be REFUSED for the following reasons:

- Members feel that it is overdevelopment;
- The proposed development is in excess of that stated in the Local Plan;
- Many of the roads will be unadopted;
- There are concerns regarding drainage;
- It will cause unacceptable traffic pressures;
- There is not enough open space; and
- The housing mix will not satisfy local demands.

26. 16/01806/FUL - LAND ADJACENT TO 12 BACK LANE, WICKEN, CB7 5YL

Richard Fitzjohn, Planning Officer, presented a report (S40, previously circulated) which sought full planning permission for the erection of a detached two storey dwelling with a detached single storey double garage sited to the rear of the proposed dwelling. The dwelling would be served by a new vehicular access onto Back Lane and would have a driveway with a parking and turning area.

The site was located on the south side of Back Lane, outside the development envelope of Wicken and comprised open uncultivated land that was previously used for arable farming. The site was flat and open, with views towards Wicken Fen to the rear of the site.

It was noted that the application had been called in to Planning Committee by Councillor Ian Bovingdon for an open discussion as he felt the refusal on the amended plans was not founded.

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

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

- Principle of development
- Character and appearance of the area
- Nearby listed buildings
- Residential amenity
- Highway safety

The Committee noted that there was an extant planning permission on the site for a dwelling which was approved as part of planning application 16/00245/FUL. The principle of development had therefore already been established and the location was considered acceptable.

However, the application site extended significantly in depth beyond the residential curtilages of nearby properties and that approved by the extant planning permission on the site. The proposal would further extend amenity space into the countryside, eroding the surrounding countryside character and setting a precedent for similar changes of use of neighbouring agricultural land.

Whilst the height of the proposed dwelling was acceptable, by virtue of its scale and massing in addition to the significant depth of the proposed residential curtilage, it was considered that the proposed development would be out of character with the scale of the surrounding built form and its sensitive rural setting. It would appear visually dominant within the surrounding rural landscape to an extent which would cause significant visual harm, and the change of use of this significant amount of land would allow domestic paraphernalia to be sited within it, thereby detracting from the rural character and appearance of the area, contrary to Policy ENV1.

The proposed dwelling was located more than 40 metres to the rear of the nearest listed building, No.25 North Street. Due to its height, siting and large separation distance from nearby listed buildings, it was considered that the proposed dwelling would not create a significant detrimental impact upon the setting of the nearby listed buildings, in accordance with Policy ENV12.

With regard to residential amenity, it was noted that the proposed development would not create a significant overbearing impact or loss of light to any neighbouring properties. However, the first floor window serving 'Bedroom 5' was distanced 5.2m from the east boundary of the site, and faced towards a plot of land which had an extant full planning permission for a new dwelling. This would result in a significant and unacceptable loss of privacy to future occupiers of the approved dwelling on the adjacent plot of land.

It was noted that the Local Highway Authority had no objections to the application. The proposed development would accommodate two vehicle parking spaces and adequate turning space. Planning conditions could be appended to any grant of planning permission in respect of gate location and parking and turning.

In connection with other matters, the application site was located within Flood Zone 1 and it was considered that subject to an appropriate surface water drainage scheme, the development would accord with Policy ENV8 of the Local Plan.

A condition could be appended to any grant of planning permission requiring a programme of archaeological investigation to be submitted to and agreed in writing by the Local Planning Authority (LPA) prior to any development.

On balance, it was considered that the benefits of the proposed development would be outweighed by the significant and demonstrable harm caused to the character and appearance of the area and residential amenity.

The proposal was therefore considered to be contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

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

- The scheme was in accord with local and national policy;
- The scheme next door was accepted by the Council;
- The ridge height had been significantly reduced in the amended scheme;
- The dwelling would be more discrete and less intrusive. It would be 5½ metres from the shared boundary with 20 metres of separation;
- Obscure glazing would be installed in the room to be used as an office, marked as 'bedroom 5' on the plans;
- The proposal would have a narrower profile, it would improve views and it would be sited on the footprint of a plot with extant permission;
- There was an existing residential development adjacent to these plots;
- The amended scheme was smaller, amenity would be preserved and on the same footprint;
- This would be a sustainable development on the edge of Wicken and it complied with policies.

The Chairman, having noted that this was a large plot, asked Mr Mills for his comments regarding 'domestic paraphernalia'. Mr Mills replied that Class E could be conditioned, but there would be some element of paraphernalia, as was common with other buildings.

Councillor Beckett asked what the area of the garden was. This was measured and the Committee was advised it was 0.8 hectares.

Councillor Bill Hunt asked Mr Mills if the applicant would be prepared to have the window of bedroom 5 partially glazed and he was informed that this would be acceptable.

Councillor Hunt went on to say he did not think the Committee should be in the business of saying that someone should not have a large house in a large garden. This was a well designed proposal and it was not two acres of lost agricultural land because it abutted onto a car park. Furthermore opaque glazing could be put in to secure privacy.

He duly proposed that the Officer's recommendation for refusal be rejected and the application be approved, with Officers coming to an amicable result regarding bedroom 5.

In seconding the motion for approval, Councillor Cox said a precedent had already been set down Back Lane and he did not see there would be an

issue with this development. Councillor Beckett concurred, adding that in today's age, two acres of agricultural land would be of minimal value.

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

It was resolved:

That planning application reference 16/01806/FUL be APPROVED for the following reasons:

- Members do not accept that the scale is inappropriate;
- The proposal will be entirely in keeping with the area;
- It will not cause any significant visual harm to the character of the area; and
- Members note that a domestic solution could be found in relation to residential amenity and bedroom No. 5;

It was further resolved:

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

27. 17/00468/FUL – LAND ADJACENT TO 103 STATION ROAD, SOHAM, CB7 5DZ

Richard Fitzjohn, Planning Officer, presented a report (S41, previously circulated) which sought planning permission for the erection of a two storey dwelling within the existing garden of 103 Station Road, Soham. Two car parking spaces would be provided for the proposed dwelling, which would be served by a new vehicular access with the public highway. Amended plans had been submitted during the course of the application removing timber boarding from the proposed dwelling, following concerns raised by the Conservation Officer. The external surfaces of the dwelling would predominantly comprise buff facing brickwork and Spanish slate roof tiles.

It was noted that the application had been called in to Planning Committee by Councillor Ian Bovingdon on the grounds of highway concerns.

The site was located within the established development framework and Conservation Area for Soham. The site bordered 101 Station Road to the east and no's. 96, 98, and 100 Clay Street to the south.

A number of illustrations were displayed at the meeting, including a map of the location site, an aerial image, the layout and elevations of the proposal, a photograph relating to the existing vehicular access and a number of other photographs in connection with the character and appearance of the Conservation Area, residential amenity and highway safety.

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

- Principle of development;
- Character and appearance of the conservation area;
- Residential Amenity; and
- Highway safety.

With the Council currently being unable to demonstrate an adequate five year supply of land for housing, all local planning policies relating to the supply of housing had to be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development as set out in the NPPF. This meant that proposals should be approved unless any adverse effects of the development significantly and demonstrably outweighed the benefits.

The application site was within close vicinity to the facilities and services within Soham and well connected by public footpaths. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site was therefore considered to be in a sustainable location.

The site was located in an area which was predominantly residential in nature. The mixed pattern of development within the vicinity and the location of the proposed dwelling meant that the proposal would not be out of keeping with the existing built form. Furthermore, the proposed dwelling was modest in scale and of a simple design and the original concerns of the Conservation Officer had been addressed.

However, the plot size for the proposed dwelling was significantly below the 300 square metre plot size guidance as set out in the Design Guide SPD. The proposed development would appear cramped and contrived within the site, and not relate sympathetically to the layout and form of the surrounding area. It would have a significant detrimental impact upon the character and appearance of the Conservation Area, contrary to Policies ENV1, ENV2 and ENV11.

With regard to residential amenity, there was no significant overlooking of neighbouring properties, but the height, location and proximity of the proposed dwelling would create significant overbearing impact and loss of light, contrary to Policy ENV2 of the Local Plan.

It was noted that the proposal would provide two car parking spaces but there would be no provision for vehicle turning. This would result in cars having to reverse into or out of the site, opposite a vehicular junction and within close proximity to a bend in the public highway to the south. This was the existing situation for cars parking at 103 Station Road. The Local Highways Authority had no objections to the proposal and it was considered that on balance, the proposed development would not create a significant detrimental impact upon highway safety, in accordance with Policy COM7.

In terms of planning balance, although the proposal was in a sustainable location, it was considered that the benefits of the development would be outweighed by the significant and demonstrable harm caused to residential amenity and the character and appearance of the Conservation Area. The proposal is therefore considered to be contrary to Policies ENV1, ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.

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

- The proposal was in the established framework for Soham, in a predominantly residential area;
- There would be a partial reduction in ground levels to allow the erection of the dwelling;
- The existing property would gain two off road parking spaces;
- The revisions to the original application had addressed the concerns raised by the Conservation Officer, and the proposed materials would be in keeping with the local vernacular;
- The Local Highway Authority had no objections;
- He did not believe the dwelling would be overbearing because the height visible to the east would be reduced, amounting to that of a single storey garage.
- VELUX windows could be incorporated into the proposal;
- He was not aware of any objections from the neighbours and did not think there would be any overlooking;
- He did not consider the proposal to be contrived but believed it would provide the perfect opportunity for a first time buyer;
- The benefits would outweigh any harm;

Councillor Smith asked Mr Palmer how big the garden was. Mr Palmer advised it would be 60-65 square metres.

Councillor Ambrose Smith thought that this proposal could be the perfect home for a first time buyer and she made the point that not everyone wanted a big garden. This area of Soham was something of an architectural mix and she felt that there would be no problem with the dwelling once the ground level had been lowered. She therefore proposed that the Officer's recommendation for refusal be rejected and the application be granted planning permission.

Councillor Beckett referred to the term 'cramped and contrived' at 50 dwellings per hectare with 2 parking spaces, when the Committee had approved 66 dwellings per hectare with limited parking at Soham Gateway.

Councillor Bill Hunt thought the site was cramped but he believed the proposal showed flair from the architect. He agreed that it might be just right

as an 'entry level' dwelling and he therefore seconded Councillor Ambrose Smith's motion for approval.

When put to the vote, the motion was declared carried, there being 6 votes for, 1 vote against and 3 abstentions.

It was resolved:

That planning application reference 17/00468/FUL be APPROVED for the following reasons:

- The proposal is in keeping with the local vernacular;
- Members believe that the proposal can be achieved on the site; and
- It will have no impact on the residential amenity of the neighbouring properties;

It was further resolved:

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

There was a comfort break between 4.07pm and 4.12pm.

28. 17/00475/FUL – LAND ADJACENT TO 1 BRICK WORKS COTTAGES, FACTORY ROAD, BURWELL, CB25 0BN

Oli Haydon, Planning Officer, presented a report (S42, previously circulated) which sought full planning permission for the demolition of an existing shed/garage and the erection of a single storey detached dwelling

It was noted that the application had been called in to Planning Committee by Councillor David Brown as there was a disagreement as to whether this was a sustainable location.

The site was located outside the development framework for Burwell, off Little Fen Drove, 1.5 miles from the facilities and services in the village. The character of the area was defined by a predominance of arable land with occasional light industrial uses. To the rear of the site was a plant hire compound with its access off Little Fen Drove.

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

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

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

- Highway Safety.

Paragraph 55 of the 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 being 1.5 miles by road from the services and facilities of Burwell, and it was located along a 60mph road in a rural location with no footpath. 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 which formed a material consideration to be given significant weight in determining this application.

It was acknowledged that dwellings existed northwest of the application site, and they had been there for a substantial amount of time. The Planning Officer reiterated that their presence did not mean that new development should be accepted on this plot. Furthermore, the Inspector in a recent appeal case accepted that '*existing development is not a fait accompli for subsequent development; each case must be decided on its own merits*'.

In connection with visual amenity, it was considered that the proposed dwelling would cause significant and demonstrable harm to the rural character and appearance of the area. It would be in stark contrast to the established small Brick Works cottages and would have no particular visual or physical affinity with the existing pattern of development. It would result in an undesirable hardening of the edge between the existing built up element of the Brick Works cottages and the wider rural vicinity.

The site had sufficient space to accommodate the dwelling with an acceptable level of private amenity space as set out in the SPD Design Guide. It was considered that there would be a minimal impact on any future occupier from the adjacent plant hire compound and other light industrial units operating in the vicinity.

The Committee noted that the Local Highway Authority had raised no concerns regarding the scheme. A turning area had been incorporated to the front of the dwelling and the submitted plans showed one parking space on the front driveway. This area appeared too cramped to increase this provision as two parking spaces could not be provided within the current layout without compromising the turning space. If the proposal remained with only one parking space, it was considered that the increase in on-street parking on this 60 mph road would be detrimental to highway safety. The proposed access arrangement was therefore contrary to Policy COM7 and COM8 of the Local Plan.

Part of the access to the site was within Flood Zone 2 and 3 but it was noted that the Environment Agency had raised no concerns regarding the development. The drainage arrangements had been discussed with Building Control who had raised no concerns with the proposals in principle, although the implementation of the scheme would be subject to their approval.

The Planning Officer concluded by saying that the proposal was in conflict with Policies GROWTH5, ENV1, ENV2 and COM7 of the Local Plan and the core principle of the NPPF, and it would counterbalance the recent

multiple conclusions of the Planning Inspectorate; it was therefore recommended for refusal.

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

- There were three pillars of sustainability, social, economic, and environmental;
- The social element was that this proposal would provide a dwelling, and at present the Council could not demonstrate a 5 year supply of land for housing. The economic element was taken as given, and there would be no environmental harm caused by the development;
- With regard to paragraph 55 of the NPPF, there was already an existing group of dwellings there, with the residents receiving postal deliveries, waste collection and other services. One more dwelling would cause no harm;
- There would be no overlooking or loss of privacy;
- Highways had no objections to the scheme, the analogy being the previous application at 103 Station Road, Soham;
- There would be no necessity for vehicles to enter or leave the site in forward gear, but this could be conditioned;
- This would provide an additional dwelling and the only issue was locational sustainability, despite there already being dwellings there.

Referring to the Officer's comment about urbanisation, Councillor Ambrose Smith suggested that the proposal had an agricultural reference in its design and it would be very similar to other buildings in the area. Mr Kratz agreed, saying it would be low key and redolent of farm buildings.

Councillor Edwards believed the location was sustainable and that the dwelling would finish off that stretch of road. She duly proposed that the Officer's recommendation for refusal be rejected and the application be granted permission.

Councillor Hunt felt that Mr Kratz's points were well made, and he too thought the application should be approved.

Councillor Hitchin added that just because vernacular was not always attractive, it did not have to be perpetuated; this dwelling would give a different feel.

The motion for approval was seconded by Councillor Ambrose Smith, and when put to the vote it was declared carried, there being 9 votes for and 1 abstention. Whereupon,

It was resolved:

That planning application 17/00475/FUL be APPROVED for the following reasons:

- Members believe that the proposal is in a sustainable location; and
- They have no concerns regarding parking;

It was further resolved:

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

29. 17/00549/OUT – LAND ADJACENT 2 GRAVEL END, COVENEY

Oli Haydon, Planning Officer, presented a report (S43, previously circulated) which sought outline consent for the construction of two detached dwellings with garaging and associated works. The matters of layout, access, appearance, landscaping and scale would remain as a reserved matter, to be determined at a later date.

It was noted that the application had been called in to Planning Committee by Councillor Mike Bradley due to local concerns and that this application and the neighbouring application (17/00652/FUL) were effectively on the same parcel of land.

The site was located outside of but adjacent to the development envelope for Coveney at the northern end of the village. The proposed development would use an existing access located on a left hand bend in Gravel End. The site comprised a plot of unused amenity land, bordered by dwellings to the north and northeast, and there was sporadic boundary planting to demarcate the site.

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

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

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

With regard to the principle of development, the Planning Officer reiterated that the site was located outside of the established development framework for Coveney, albeit adjacent to the edge of the settlement boundary. There was a pedestrian footpath running from the development site to the centre of the village to the south. Facilities within the village were limited; however the site was part of an established village community centred on the main service centre at Ely. This was easily accessible by road and had schools and transport links as well as shops and surgeries to meet everyday needs. Based on the distance from the settlement boundary, the footpath provision and the character of the area, it was considered that the

site was sufficiently well connected to the facilities and services on offer so that future occupiers would not be overly reliant on a private motor vehicle. It was stated that although Coveney had a limited range of services, the gradual and organic growth of small rural villages was vital to their future as settlements.

Members noted that as all matters were reserved on this proposal, only a limited assessment of visual impact could be made at this stage. Nevertheless, it was considered that subject to further detail being submitted and approved at the reserved matters stage, the two proposed dwellings could be accommodated on the site.

As layout and scale were not being considered at this stage, it could not be judged whether this proposal and that for planning application reference 17/00652/FUL would have a harmful overlooking or overbearing impact on each other. If both applications were to be approved, there was likely to be scope within the reserved matters application to ensure that the two sites were not in conflict with one another with regard to their proximity.

With regard to highway safety, the Local Highway Authority had raised no objection to the proposal, subject to conditions.

At the invitation of the Chairman, Mr Sore, a resident of Gravel End, spoke in opposition to the application and made the following comments:

- He and his wife lived at No.10 Gravel End. This and the neighbouring application site were adjacent to their house;
- The site was outside the development framework boundary, and was protected by the Local Plan 2015, which had been established to protect open land;
- It seemed that the Local Plan carried little weight as the boundary seemed to be disregarded;
- This was the last remaining rural part of Coveney;
- Reasons for refusal on a different site in Coveney were downplayed in the Officer's report;
- The access would be on a tight right angled bend where there had already been many near misses;
- The PlanSurv document was very specific – Plot 1 would be right against his south boundary, showing a complete disregard for loss of amenity;
- Referring to paragraph 7.4.3 of the Officer's report regarding overlooking, this should be applied to ensure there was no detrimental effect on No.11;
- The village had two churches, a village hall and a play area. The bus service was due to stop running in September. He challenged anyone to define what facilities and services were on offer that would not necessitate the use of a car.

At the invitation of the Chairman, Ms Suzanne Nugent, agent, addressed the Committee and made the following remarks:

- The Officer's report was well reasoned and the indicative layout showed an ability to accommodate the proposal;
- This would be an efficient use of scrubland;
- The proposal would bring the benefit of two additional dwellings and would help the Council to meet its five year supply of housing land without causing harm as it was a sustainable development.

At this point, the Committee noted that Councillor Mike Bradley had intended coming to the meeting to address Members on applications 17/00549/OUT and 17/00652/FUL, but as he was now unable to do so, he had sent his comments with a request that they be read out.

With the Chairman's permission, the Democratic Services Officer read out the following prepared statement:

'I specifically called in these two applications so they could be considered together since in effect they are a contiguous strip of land. It's a pity that they are not adjacent items on the Agenda and would urge the Committee to change the order so items 10 and 12 are heard sequentially.'

Coveney is a small strip development with no real facilities and thanks to the removal of the one bus a week, not really sustainable. So people need to have a car and be able to drive. The proposed development at Gravel End could completely change the character of the village as more and more come forward effectively creating an estate and lots of back fill. I believe there are many more potential applications waiting in the wings. No back fill is wanted and the strip nature should be maintained.'

So there's a matter of principle and precedence that can be set by the Planning Committee.'

There are other issues regarding each application but these are already before the Committee so I won't restate them.'

Councillor Bill Hunt proposed that the Officer's recommendation for approval be supported. He said that if local people were unable to live where they grew up then small communities would die and he thought the residents would want this community to continue. The settlement had postal deliveries etc, and waste was collected, and as long as things were done in a sensitive and moderate way, he believed the odd house should be allowed.

Councillor Beckett agreed and duly seconded the motion for approval. Coveney was an established village and to him, the proposal looked as if it would sit in within the settlement. His only caveat was that as the entrance would be on the apex of a very hard bend, it should be clearly visible.

When put to the vote, the motion for approval was declared carried, there being 8 votes for, 1 vote against and 1 abstention.

It was resolved:

That planning application 17/00549/OUT be APPROVED subject to the recommended conditions as set out in the Officer's report.

30. 17/00652/FUL – 2 GRAVEL END, COVENEY, CB6 2DN

Oli Haydon, Planning Officer, presented a report (S45, previously circulated) which sought full planning consent for the construction of a two storey detached dwelling with garaging and access. The proposal would also seek to amend the existing amenity area and parking arrangement for the neighbouring dwelling at 2 Gravel End.

The application was called in to Planning Committee by Councillor Mike Bradley due to local concerns and that this proposal and the neighbouring application (17/00549/OUT) were effectively on the same parcel of land

The application site was located outside, albeit close to the edge of the development envelope for Coveney at the northern end of the village. The site would use an existing access down a short track off Gravel End Lane. Beyond the site to the west was the dwelling at 10 Gravel End and to the north was open countryside.

A number of illustrations were displayed at the meeting. These included a map, an aerial view, the layout of the proposal (including illustratives) and a photograph of the street scene.

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

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

The Planning Officer stated that with regard to the principle of development, there was a pedestrian footpath running from where Gravel End Lane met Gravel End to the limited services at the centre of the village. Although facilities within Coveney were limited, the site was part of an established community centred on the main service centre of nearby Ely, which was easily accessible by road.

It was considered that the site was sufficiently well connected to the facilities and services on offer in the settlement and the wider area that future occupiers would not be overly reliant on a private motor car.

Turning next to visual impact, the Planning Officer stated that the proposal would utilise a range of materials and glazing with an overall simple yet modern appearance. The dwelling would be a unique feature within a unique setting. The development would have a minimal visual impact on the character of the area as it would be mostly screened from surrounding

vantage points. The proposal would use natural materials and would have an element of cohesion with the surrounding rural landscape.

The proposed dwelling would be sufficiently distanced from both neighbouring properties to avoid any harmful overlooking or overbearing. The adjacent site (17/00549/OUT) had been granted approval and would be 8 metres from the rear boundary of this proposal. If this application was to be granted permission, there was likely to be scope within the reserved matters application to ensure the two sites were not in conflict with one another.

Members noted that amendments were provided to include a widened bell mouth where Gravel End met Gravel End Lane; the Local Highways Authority had removed their objection following this amendment. The proposal itself did not impact on any local walking routes and whilst there would be an increase in traffic; it was considered that this would be minimal and could be accommodated within the wider transport network.

The Planning Officer concluded by saying that the proposal in principle was not considered to cause significant and demonstrable harm to its edge-of-countryside setting, and it was therefore recommended for approval.

At the invitation of the Chairman, Mr Sore, a resident of 10 Gravel End, spoke in opposition to the application and made the following comments:

- The general aspects of application 17/00549/OUT applied to this proposal;
- His main objection was that this scheme was even further outside the development boundary. This was garden grabbing;
- The boundary was in the wrong place and he had a letter about this from the solicitors at the Land Registry;
- Granting planning permission would set a precedent;
- His personal objection was that the first floor windows and balcony on the south side would overlook his property and there would be nothing to reduce the intrusion into his privacy;
- He disagreed with the comments in paragraphs 7.2.3 and 7.2.4 of the Officer's report, saying that there would be loss of outlook and amenity;
- The Officer had not answered his question about the need for a car to access facilities and what services were in the village;
- The site was on a dangerous corner and no provision had been made for the passing or turning round of vehicles;
- Access would be blocked by vehicles parking on the grass verge;
- There would now be two houses in the meadow;

- The proposed dwelling was not the right building for the village.

The Chairman advised Mr Sore that boundary issues were a civil matter.

At the invitation of the Chairman, Mr David Coates spoke in support of the application and made the following points;

- The application should be judged on its own merits;
- It was infill development and within the built form. It would not offend planning policy, impact on the area or have an urbanising effect, and it would not be visually prominent or impact on residential amenity;
- Highways was now satisfied with the proposal and it would improve the existing access;
- The access would extend no more than 48 metres and there would be adequate room to manoeuvre and turn;
- Data indicated that there had been no accidents over the last 18 years;
- It would occupy less than a quarter of the whole site;
- The boundary issue was a matter for the Land Registry, not the Local Planning Authority;
- This was an ambitious project which would be built to high standards. It was different but not quirky and the NPPF encouraged originality;
- The scheme was worthy of support in its own right and he hoped Members would follow the Officer's recommendation.

Councillor Bill Hunt recalled a time when Coveney had a pub and a school and he said it was sad to see it dying. Building a few houses would help to inject life into the village and he could see no reason to refuse the application.

Councillor Beckett thought the proposal looked big and bulky and would be overbearing. He was also concerned that visibility was not good when turning right out of Gravel End Lane.

Councillor Smith agreed, saying he did not think it was such a sustainable location. Whilst villages should be kept alive, dwellings had to be built in the right place.

Councillor Ambrose Smith thought more eco-houses should be encouraged and said she liked the design of the dwelling.

Councillor Hitchin declared himself to be puzzled regarding incongruity just because the proposal was in the middle of nowhere and the occupants would need a car. He agreed that there was not much amenity in the village, but new dwellings were needed to keep it going.

It was duly proposed by Councillor Bill Hunt and seconded by Councillor Stubbs that the Officer's recommendation for approval be supported. When put to the vote, the motion was declared carried, there being 8 votes for and 2 votes against.

It was resolved:

That planning application reference 17/00652/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

31. 17/00627/OUT – PLOT 2, SITE ADJACENT TO 3 HALL BARN ROAD, ISLEHAM

Oli Haydon, Planning Officer, presented a report (S44, previously circulated) which sought outline planning permission for the construction of a single storey dwelling with associated parking and site works. The matters to be considered at this stage were access, layout and scale. The application would also seek to reposition the garage and parking belonging to Plot 1 (approved under 17/00255/OUT).

It was noted that the application had been called in to Planning Committee by Councillor Derrick Beckett as it was considered that back land development was a subjective issue that would benefit from a wider view.

The application site was located adjacent to the development envelope for Isleham and to the rear of a vacant plot which received outline planning permission in April 2017 for a single storey dwelling. To the north of the site were agricultural fields with a farm track running along the northern of the site. The Grade II listed buildings at Isleham Hall were in close proximity to the site.

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

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

- Principle of Development
- Visual Impact
- Heritage Impact
- Residential Amenity
- Highway Safety

It was noted that the application site was located outside of the established development framework for Isleham, albeit adjacent to the edge of the settlement boundary. Based on the distance from the settlement boundary, the footpath provision and the character of the area it was considered that the site was sufficiently well connected to the facilities and services on offer in the settlement and the wider area that future occupiers would not be overly reliant on a private motor vehicle.

By virtue of its location behind the existing and established built form, the application was considered to be an unacceptable back land form of development. It was out of keeping with the established linear character of development in the vicinity of the site.

In connection with the historic environment, Members noted that the application site was located approximately 40 metres from the listed buildings. The Conservation Officer considered that the construction of a dwelling would not sit well with the built form in the vicinity of the site. The further encroachment of modern housing within the setting of Isleham Hall and Hall Farm would result in harm being caused to the setting of the listed building. The proposal would constitute overdevelopment of a site that did not lend itself to residential development and the demonstrable harm to the setting of Isleham Hall and its outbuildings outweighed that of the minimal public benefit arising from the proposal.

Speaking of residential amenity, the Planning Officer stated that the nearest neighbouring dwelling would be located 36 metres beyond the rear elevation of the proposed dwelling and by virtue of the scale being single-storey there was unlikely to be any overlooking impact resulting from the scheme.

It was considered that the movement of vehicles belonging to the residents of the proposed plot and the previously approved plot would cause harm to the amenity of the resident of No. 3 but not sufficiently demonstrable and significantly harmful enough to warrant an outright refusal of permission.

Due to the proposed layout and scale along with the separation between the dwelling and the neighbouring properties, it was considered that there would not be a significantly detrimental effect on the residential amenity of any nearby occupiers, and future occupiers of the dwelling would enjoy a satisfactory level of amenity.

The proposal would be accessed via a driveway running between the recently approved Plot 1 and the neighbouring dwelling at Number 3. A turning area had been incorporated to the front of the dwelling and the parking provision and turning area of Plot 1 had been reconfigured. The Local Highways Authority had raised no concerns with the scheme, subject to conditions and the proposal was considered to comply with Policies COM& and COM8 of the Local Plan.

Other considerations material to the application could be secured by condition.

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

- He did not agree with the Officer's recommendation for refusal;
- The Council was unable to demonstrate a 5 year supply of housing land and therefore the presumption should be in favour of sustainable development;

- The site was adjacent to the development envelope and there were links to the existing footpath and the application ticked the 'sustainability boxes';
- Highways did not object to the proposal;
- Back land development was typical all along Hall Barn Road;
- This was an application for outline approval;
- The Grade II building would be over 70 metres away and the proposed dwelling would be dwarfed by the nearby agricultural buildings;
- The proposal reflected the built form and development of Hall Barn Road and would have no detrimental effect.

Councillor Bill Hunt contended that this was a very important area which should be maintained. If granted planning permission, it would be a bland development, totally inappropriate and it would have a detrimental impact on the historic environment.

Councillor Beckett disagreed, saying there was development to both the east and west of Hall Barn Road. He did not think the scheme would be a bland development within the context of the area. Some of the trees would screen the proposal from the Hall, and besides which, the other proposal was equally as close to the Hall. He did not see a problem with granting approval but felt that it should be conditioned restricting the height to a single storey dwelling.

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

Councillor Smith seconded the motion for approval, commenting that he did not feel the dwelling would cause any harm.

Councillor Hitchin made the point that, generally speaking, heritage buildings were looked at from a particular point. In this case the 14 houses of the previously approved plot would be behind you but he felt the view would still be marred by this bland development; he also believed the wall to be of significance.

There being no other comments, the Committee returned to the motion for approval. When put to the vote it was declared carried, there being 6 votes for, 3 votes against and 1 abstention.

It was resolved:

That planning application reference 17/00627/OUT be APPROVED for the following reasons:

- Members do not consider it to be back land development within the context of the area;

- Because the proposal will be behind another building (with an extant planning permission) when viewed from the road, it will not be in open countryside;
- Members do not believe the proposal will lead to substantial harm to the setting of the Grade II Listed Building adjacent to this site, and that the public benefits will outweigh any harm, in keeping with the requirements of the National Planning Policy Framework.

It was further resolved:

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

32. 17/00762/OUT – LAND ADJACENT TO 45 NEWMARKET ROAD, FORDHAM, CB7 5LN

Catherine Looper, Planning Officer, presented a report (S46, previously circulated) which sought outline planning permission for the erection of two detached bungalows with garaging, parking, access, and associated site works. All matters were reserved except for access and layout.

On a point of housekeeping, the Planning Officer stated that the agent had now submitted an Arboricultural Impact Assessment but there was insufficient time for the Trees Officer to assess it prior to this meeting.

It was noted that the application had been called in to Planning Committee by Councillor Joshua Schumann on the basis that the Committee had considered similar applications over the last few months and it would be consistent for them to consider this application also.

The site was located approximately 583 metres from the settlement boundary of Fordham. The surrounding landscape was agricultural and rural in nature, with little built form nearby. There was a public footpath in front of the site which gave access to the main settlement of Fordham as well as the opposite direction toward Newmarket.

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

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

- Principle of Development
- Residential Amenity
- Visual Amenity
- Highway Safety
- Trees

The Planning Officer reiterated that this same proposal had been received by the Planning Department in January 2017. It was identical to the application before Members today and was refused for the same reasons as recommended in paragraph 1.1 of her report.

With regard to the principle of development, the application site was located well outside of the designated development envelope of Fordham and as such was considered to be a countryside location. Paragraph 55 of the NPPF stated that to promote sustainable development in rural areas, housing should be located where it would enhance or maintain the vitality of rural communities. Local Planning Authorities should avoid isolated new homes in the countryside unless there were special circumstances.

This site was considered to be isolated due to its distance from the defined settlement boundary. Although there was a public footpath along the roadside to Fordham, the nearest street lights were 465 metres away in the direction of Fordham and the nearest bus stop was 950 metres away from the site. This was not considered to encourage sustainable journeys and was likely to mean reliance on a car to access basic services within the village.

There was a significant distance between the dwelling and the neighbouring property at 45 Newmarket Road. Although the impact on residential amenity could not be fully assessed at this stage, it was unlikely that significant impacts would be created due to the distances to the boundaries. The full impact on residential amenity would need to be assessed as part of a reserved matters application.

The introduction of built form in this open area was out of keeping with the wider landscape setting of Fordham, and did not respect the defined settlement edge. The area was characterised by agricultural land, Fordham Abbey and Fordham House, and the introduction of residential built form would significantly alter the appearance of the landscape.

It was noted that the Local Highways Authority had raised no objection to the scheme and it was considered that the proposed access to the site could be achievable.

The Trees Officer was consulted on the application, but as insufficient information had been received and there was not enough time for the subsequently submitted Arboricultural Impact Assessment to be assessed, the Council was unable to determine whether the access to the site was suitable or whether any of the trees were under threat. The access could therefore not be determined to be acceptable.

Speaking of the planning balance, the Planning Officer stated that there were a number of sites within Fordham that were considered more sustainable and suitable for residential development. The proposal would result in an incongruous and isolated development within the countryside and would be contrary to planning policy. The unsustainable location of the proposal outweighed the benefits of the provision of a dwelling house and the application was therefore recommended for refusal.

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

- He apologised for the lack of a Tree Survey and this had now been addressed;
- The Survey had concluded that the trees at the entrance to the site would need considerable maintenance;
- The topography would allow a 'no dig' driveway which could be air compressed and services could be laid within a trench;
- If granted approval, the improvement of the area could be secured by condition;
- Highways had raised no objections to the proposal;
- With regard to sustainability, permission had been granted in June 2016 for two bungalows in Station Road, Fordham. This site was adjacent to an existing residential bungalow. The footpath would provide a safe pathway to the village and there was a bus stop;
- The NPPF had three elements relating to sustainability, and this application fulfilled the social role because it would supply housing to meet local needs;
- The Council was currently unable to demonstrate a 5 year supply of land for housing and during this time many applications had been approved;
- Many residents of East Cambridgeshire relied on the use of a car, and not everyone wanted to live in an urban area;
- The existing bungalow received visits from the postal services, refuse collection and Amazon delivery man etc;
- 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*'
- There would be no adverse impacts to outweigh the benefits of the scheme.

In proposing that the Officer's recommendation for refusal be supported, Councillor Hitchin said the gatehouse was part of an historic site and not a stand-alone building.

Councillor Ambrose Smith remarked that the District had a deficit of single storey buildings and bungalows could be easier to adapt for someone with a disability or mobility problems.

Councillor Bill Hunt seconded the motion for refusal. The application site was over a mile from the village and he believed that approving a scheme where people had to cross an unlit road would set a dangerous precedent.

When put to the vote, the motion for refusal was declared carried, there being 9 votes for and 1 against.

It was resolved:

That planning application reference 17/00762/OUT be REFUSED for the reasons given in the Officer's report.

33. PLANNING PERFORMANCE REPORT – MAY 2017

The Planning Manager presented a report (S47, previously circulated) which summarised the planning performance figures for May 2017.

It was noted that the Planning department had received a total of 224 applications during May, which was a 36% increase on May 2016.

The Chairman observed that Officers were getting through a huge amount of work at present, and he thanked the Planning Manager for her concise report.

It was resolved:

That the Planning Performance Report for May 2017 be noted.

34. EXCLUSION OF THE PRESS AND PUBLIC

It was resolved:

That the press and public be excluded during the consideration of the remaining item no. 16 because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 2 & 6 Part I Schedule 12A to the Local Government Act 1972 (as Amended).

35. EXEMPT MINUTES

It was resolved unanimously:

That the Exempt Minutes of the meeting of the Planning Committee held on 7th June 2017 be confirmed as a correct record and signed by the Chairman.

The meeting closed at 5.40pm.