

PLANNING COMMITTEE MINUTES

Minutes of a Meeting held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday 6 April 2011 at 2:00pm.

PRESENT

Councillor Philip Read (Chairman)
Councillor Sue Austen (as Substitute for Councillor Jeremy Friend-Smith)
Councillor Derrick Beckett
Councillor David Brown
Councillor Anthea Davidson
Councillor Lavinia Edwards
Councillor Peter Moakes
Councillor James Palmer
Councillor Jackie Petts
Councillor Mike Rouse
Councillor Gareth Wilson

OFFICERS

Shirley Blake – Principal Sustainable Development Officer
Alan Dover - Principal Development Control Officer
Giles Hughes – Head of Planning & Sustainable Development
Yvette Mooney – Planning Officer
Adrian Scaites-Stokes – Democratic Services Officer
Jeanette Thompson – Head of Legal & Democratic Services
Lucie Turnell – Team Leader Development Control

ALSO IN ATTENDANCE

2 members of the public

Before the meeting started, the Chairman announced the sad passing away of Councillor John Abbott the previous day.

The Committee and officers all stood in silence as a mark of respect.

74. **APOLOGIES AND SUBSTITUTIONS**

Apologies were received from Councillors Christine Bryant and Jeremy Friend-Smith.

Councillor Sue Austen substituted for Councillor Friend-Smith for this meeting.

75. **DECLARATIONS OF INTEREST**

No declarations of interest were given.

76. **MINUTES**

It was resolved:

That the minutes of the meeting held on 2 March 2011 be confirmed as a correct record and be signed by the Chairman.

77. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that agenda items 7, 8 and 10 had been withdrawn prior to the meeting.

78. **10/01034/FUL and 10/01035/CAC – 30 LYNN ROAD, ELY**

The Team Leader Development Control, Lucie Turnell, presented a report to the Planning Committee, (K310) previously circulated, which gave details of the application, the applicant's case, the site and its environment, planning history and relevant planning factors and policies.

The Team Leader Development Control advised the Committee of a couple of corrections to the report: in paragraph 1.1 it should state 4 dwellings and not 6 as stated, in paragraph 1.5 it should state Cllr Rouse and not Rowe as stated.

The Team Leader Development Control advised the Committee about the reasons for the application, the circumstances and planning history of the site and the relevant planning issues that had to be taken into consideration. On balance the application was recommended for refusal for the reasons detailed in the report plus an additional reason of piecemeal development contrary to Policy EN2. The Principal Development Control Officer suggested the following wording for this additional reason:

Were it to be developed as proposed, the site, being formed by garden ground and adjacent to further extensive garden areas, would constitute piecemeal development and as such would be contrary to Core Strategy Policy EN2.

At the invitation of the Chairman, Mr Hutchinson spoke against the application and made the following comments:

- Objections had been raised against the original application and this application varied little from that previous one.
- The development would be inappropriate and contained the same principles of development that had been previously found unacceptable.
- Planning policy PPS3 specifically excluded development of garden land, which this development would be.
- It would be back land development and would be out of scale.
- The demolition of the existing dwelling and its replacement were only to allow access to the site.
- There were serious concerns over the potential additional vehicle movements because of the lack of visibility and access onto a busy road and turning on the site next to a neighbour's quiet area.
- This latest application was out of keeping with the character of the area.
- The development would not enhance the Conservation Area.

At the invitation of the Chairman, Mr Ambrose spoke in support of the application and made the following comments:

- He had advised the applicants that the site was suitable for development.
- The application had addressed the points made for refusal from the previous application and independent consultants had been commissioned to

overcome those objections relating to highway, arboreal and conservation issues.

- The new replacement dwelling would be in a similar style to the existing, to comply with the Conservation Officer's recommendation, and would be energy efficient.
- The new dwellings would not be seen from Lynn Road.
- The impact on residential amenity would be minimal.
- The development would at least be neutral to the Conservation Area, could improve it and would certainly not be detrimental. The Conservation Area only covered the east side of Lynn Road.
- There were different categories of dwellings in this area and the ones in Lynn Road were at the bottom end of this scale.
- A similar development application had been passed for Church Lane, Ely.
- This site would not go away.
- Overall the upsides of this application outweighed the downsides.

Councillor James Palmer queried what was meant by 'this site would not go away'. In response Mr Ambrose stated that if permission was not given then the clients could apply again or go to appeal. Other people would see the benefit of this site and more applications for developing it were possible.

Councillor Mike Rouse had suggested this application be considered by the Planning Committee as there were issues that needed to be aired in public. Houses that had large gardens were viewed by some people as development opportunities. If permitted, these developments would alter the character of streets and ruin garden habitats. Such developments as proposed had been resisted on this side of Lynn Road, so the officer's recommendation for refusal should be supported. The application did not add anything to the area and the site was adjacent the important Paradise site.

Councillor Gareth Wilson, in agreeing with Councillor Rouse, was worried about the poor designs to plots 1, 2 and 3 as they did not connect with other. This would be a second rate development.

Councillor Philip Read questioned the significance of the development allowed further up Lynn Road. The Team Leader Development Control reminded the Committee that a bungalow had been built to the rear of one of the houses further along Lynn Road a few years ago but planning policy had moved on since permission had been granted. Therefore, this development was not considered a material planning consideration in this case.

Councillor Anthea Davidson agreed with Councillor Wilson's comments and thought that, for such an important site, a better design was needed. The neighbours would not have peace due to the vehicles that would use the site if it were allowed.

The officer's recommendation for refusal with the additional reason suggested were duly proposed, seconded and, when put to the vote, agreed.

It was resolved:

That planning applications references 10/01034/FUL & 10/01035/CAC be REFUSED for the reasons as set out in the officer's report and the additional following reason:

Were it to be developed as proposed, the site, being formed by garden ground and adjacent to further extensive garden areas, would constitute piecemeal development and as such would be contrary to Core Strategy Policy EN2.

79. **11/00023/FUL and 11/00024/CAC – GRIFFIN COUNTRY STORE, 3 THREE CUPS WALK, ELY**

The Planning Officer, Yvette Mooney, presented a report to the Planning Committee, (K311) previously circulated, which gave details of the application, the applicant's case, the site and its environment, planning history and relevant planning factors and policies.

The Committee was advised about the reasons for the application, the circumstances and planning history of the site and the relevant planning issues that had to be taken into consideration. On balance the application was recommended for approval subject to the conditions detailed in the report.

Councillor Peter Moakes reminded the Committee that this area had been included in the Ely Masterplan as one of the gateways into the city centre. It had been hoped that this area would support two-storey shops. This application did not reflect that.

Councillor Philip Read did not appreciate retrospective applications as applicants did not comply with what the Council needed. The applicants were warned about the risks of completing works and then applying for retrospective permission. It was suggested that this application be held to see if improvements to the design could be achieved.

Councillor James Palmer thought the development was attractive but the architect should have known the rules in East Cambridgeshire regarding obtaining permission for it.

Councillor Anthea Davidson thought the building erected had some design issues, in particular there were objections to the cladding and the colours used. Perhaps a condition should be attached relating to selecting an appropriate colour and requesting an additional window.

Councillor Mike Rouse thought it was sad that this site had not got a more comprehensive development. This was the last chance to provide a good gateway to the city centre. The application could have been better.

Councillor Peter Moakes proposed that the officer's recommendation for approval be rejected due to the adverse impact on the Conservation Area through its inappropriate design. Upon being seconded this was unanimously agreed.

A proposal was then made to refuse the application, due to its impact of its design, with the specific wording to be delegated to the Head of Planning and Sustainable Development to finalise. This was duly seconded and agreed unanimously.

It was resolved:

That the Planning Officer's recommendation for approval be rejected for the following reason:

- the impact on the Conservation Area of the inappropriate design.

It was further resolved:

That the planning applications 11/00023/FUL and 11/00024/CAC be REFUSED because of the impact on the Conservation Area of the inappropriate design, with the specific wording of the reasons for refusal to be delegated to the Head of Planning and Sustainable Development.

80. **11/00168/ADN – LAND ADJACENT TO ELY RUGBY CLUB, DOWNHAM ROAD, ELY**

The Principal Development Control Officer, Alan Dover, presented a report to the Planning Committee, (K314) previously circulated, which gave details of the application, the applicant's case, the site and its environment, planning history and relevant planning factors and policies.

The Principal Development Control Officer advised the Committee that the site was north of the A10 and the signboard would be located in consultation with County Highways, to address the dual issues of public safety and amenity.

Councillor Gareth Wilson hoped the signboard would not be put up before 5th May. The Committee was reminded about the 'purdah' period and the Head of Planning and Development Services advised the Committee that this was not a planning issue. Councillor Jackie Petts requested that the reason that Councillor Wilson did not want the sign being put up be recorded.

It was resolved:

That planning application 11/00168/ADN be APPROVED for the reason as set out in the officer's report.

81. **IPSWICH CHORD – FORMAL CONSULTATION**

The Principal Sustainable Development Officer, Shirley Blake, presented a report, (K316) previously circulated, which detailed a proposed response to a formal planning consultation from Network Rail on the proposed Ipswich Chord.

The Principal Sustainable Development Officer advised the Committee that the Ipswich Chord was a proposal for rail improvements. As part of the process Network Rail had to issue an Environmental Statement and formerly consult on it. The aim of the Chord was to accommodate the predicted increase in rail traffic and re-route it to the north of London. The improvement works would be based around Ipswich but would have effect elsewhere. The improvements

would have an accumulative effect on the Ely rail crossing, resulting in the barrier being closed for longer. This was a significant concern. A response had been drafted based on this and it was recommended for approval.

Councillor James Palmer was very disappointed with the proposed response as it missed out the rail stop in Soham. This should be put in, as the rail station would help lessen the traffic on the A142.

Councillor Peter Moakes agreed that the Soham station should be referred to as Network Rail had indicated they wanted it. The rest of the response was splendid so should be supported.

Councillor David Brown agreed with Councillor Palmer that the response was not strong enough and highlighted paragraph 4.5 in the report, where it indicated that Network Rail would make money out of this but they did not consider the effects as their problem.

Councillor Philip Read proposed that the Principal Sustainable Development Officer consult with Members of the Committee for views and comments and leave the final wording of the response to the Head of Planning and Sustainable Development. This was agreed.

It was resolved:

- (i) That the Principal Sustainable Development Officer would consult the Members of the Planning Committee to obtain their views and comments on the Ipswich Chord formal consultation;
- (ii) That the Head of Planning and Sustainable Development was delegated the authority to respond on behalf of the District Council to Network Rail, after consideration of those views and comments.

The meeting finished at 3:07pm.