



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee  
held in the Council Chamber, The Grange, Nutholt Lane  
Ely on Wednesday, 6<sup>th</sup> April 2016 at 2.00pm

**P R E S E N T**

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

**OFFICERS**

Julie Barrow – Senior Planning Officer  
Jo Brooks – Director, Regulatory Services  
Richard Fitzjohn – Planning Officer  
Barbara Greengrass – Senior Planning Officer  
Neil Horsewell – Trees Officer  
Ruth Lea – Senior Lawyer  
Janis Murfet – Democratic Services Officer  
Andrew Phillips – Senior Planning Officer  
Rebecca Saunt – Planning Manager

**ALSO IN ATTENDANCE**

13 members of the public attended the meeting.

93. **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors David Chaplin, Lavinia Edwards, Neil Hitchin, Lisa Stubbs and Mike Rouse.

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

94. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

95. **MINUTES**

It was resolved:

That the Minutes of the Planning Committee meeting held on 2<sup>nd</sup> March 2016 be confirmed as a correct record and signed by the Chairman.

96. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed Barbara Greengrass, Neil Horseywell and Richard Fitzjohn to their first formal attendance at Planning Committee.

97. **15/01254/RMM – RESERVED MATTERS FOR THE LAYOUT, SCALE, APPEARANCE, ACCESS, LANDSCAPING FOR APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 88 NEW BUILD DWELLINGS TOGETHER WITH PUBLIC OPEN SPACE AND NEW ACCESS ONTO FORDHAM ROAD AND SEPARATE ACCESS TO RECENTLY CONSTRUCTED RESIDENTIAL DEVELOPMENT TO THE SOUTH EAST OF THE APPLICATION SITE. (11/00995/OUM) ENVIRONMENTAL STATEMENT SUBMITTED WITH THE OUTLINE.**

Andrew Phillips, Senior Planning Officer, presented a report (Q238, previously circulated) from which Members were asked to consider the reserved matters (apart from access, which had already been agreed) for 87 dwellings with associated infrastructure and open space.

It was noted that the application had been amended in March 2016 in order to take account of the concerns raised during consultations and the views of the Case Officer.

Numerous illustrations were displayed at the meeting including a map of the application site, an aerial photograph, a plan of the proposed layout, building heights, roads being offered for adoption, affordable housing layout, and elevations of the street scene.

The Senior Planning Officer said the main issues he wished to draw to Members' attention were:

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

In terms of visual impact, there was a mix of dwelling styles with the more traditional dwellings being nearer to Fordham Road and Staples Lane and the contemporary styles closer to the proposed public open space.

Condition 26 of the outline consent controlled details of the public open space (including the Local Equipped Area for Play) and it was noted that the developer was still required to comply with this condition. They had been advised that they should discuss the soft landscaping with the Case Officer and the Senior Trees Officer before formally submitting the discharge of condition.

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The developer had moved the proposed dwellings away from 43 and 47c Fordham Road in order to minimise potential overbearing and the proposed development was no longer considered to have any detrimental impact upon the properties of Fordham Road. Indicative plans showed that additional trees of medium height would be planted along the rear of plots 11 - 24 in order to reduce the perceived loss of privacy to the residents of Staples Lane. The distance/layout of the proposal would prevent any detrimental harm to the residential amenity of properties along Brook Street and Walnut Court. Between the dwellings of plots 77 – 82 and the shared boundary, there was a distance of 10 -12 metres and for this reason it was considered that the residents of the Hopkins development would not be detrimentally affected.

With regard to highways matters, the developer had sought to overcome concerns raised by the Local Highways Authority (LHA) by reducing the length of shared surface and increasing the width of the road to allow for better inter visibility splays at the rear of 47 Fordham Road. Following this amendment, the LHA had removed its objection.

On balance, the proposed development was considered to be acceptable as it would deliver a suitable quality development and provide much needed housing within the local area.

At this point the Chairman said that although she was not on the list of registered speakers, he was going to depart from procedure to permit Parish Councillor Ann Pallett, Chairman of Soham Town Council's Planning Committee, to address Members.

Councillor Pallett said she was representing Soham Town Council which had many concerns, including drainage and unadopted roads. Section 38 had not been agreed and some of the roads had not been offered for adoption. The Senior Planning Officer stated that the LHA could not be forced to adopt roads, but standards could be agreed; Hopkins had offered the roads on its development for adoption. Councillor Pallett said it was her understanding that roads could not be adopted until the whole scheme had been completed. The Senior Planning Officer replied that all the roads were proposed to adoption standard and would be offered.

Councillor Pallett next raised the issue of drainage and was advised that the developer had submitted details showing that two areas of public open space would act as a sustainable drainage system (SUD). Driveways would be created out of permeable paving to allow water to drain, and each house would have a water butt.

Councillor Beckett interjected on a point of order, to say that the public speaking scheme was intended for registered speakers to be able to make a statement to the Planning Committee, not to question points in the Case Officer's report. The Chairman, having acknowledged this, thanked Councillor Pallett for her attendance.

Councillor Tom Hunt questioned whether the housing mix had been confirmed recently or some time ago. He was disappointed at the lack of smaller units and that there were no one bed dwellings in the market mix.

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Having noted the comments made by the Senior Housing Strategy & Enabling Officer, he thought that the market mix should also be revised. The Senior Planning Officer replied that the mix was adopted policy (larger houses first) and the application had not specified what there was to be.

Councillor Beckett asked if the site access was to be via the land at 47 – 49 Fordham Road. He was advised that this was agreed within the outline application.

Councillor Bill Hunt raised a number of queries. He enquired about tandem parking on the development and the Senior Planning Officer stated that it would be just under 50% approximately. Vehicles could be parked in the garages and in front of them and the flats would have rear parking in the courtyard. With the density being what it was, it would be hard not to have tandem parking. Councillor Hunt responded by saying that perhaps the Planning Manager should have taken this into consideration because if vehicles were also parked on the roads, it could lead to the flow of traffic being blocked.

Referring next to paragraph 2.2 on page 2 of the Officer's report, Councillor Bill Hunt expressed concern that the report had been prepared before the end of the consultation period. He believed it was good practice to allow a consultation period to end before a report was written. The Senior Planning Officer replied that Officers tried to deal with applications as quickly as possible, and in this case he felt confident he could write his report before the consultation period expired; as it turned out, no other comments had been received. The Planning Manager added that if any minor amendments were required after a report had been written, they would be dealt with as housekeeping and reported at Committee.

Councillor Hunt continued, saying that he hoped the connection of the road between the two developments would be pushed with the developer. This outline application required the road to be built up to the edge of the site and the other application had the same condition imposed. He was concerned that if this did not happen, there would be a kerb across the road which would divide the two estates, making it difficult for wheeled vehicles, buggies and wheelchairs to get across. He also asked who would bear the maintenance costs of the areas of public open space. He was advised that a S106 agreement could require the public open space to be handed over to the Council, with a maintenance contribution. However, if the Council did not accept this, it would be for the developer to form a management company.

The Senior Lawyer reiterated that Highways had ultimate control. Hopkins had already offered their roads for adoption, and Bovis was intending to do so; it was within the hands of Highways to achieve this and deal with the issue.

Councillor Tom Hunt, in reference to the suggested 29 affordable dwellings in the Officer's report, asked if the Committee could revise the recommendation in respect of the market housing mix. The Planning Manager stated that policy was not indicative and each application had to be assessed on its merits. The Local Plan focussed more on 2, 3, and 4 bed properties. Councillor Hunt replied that he was very disappointed with the

housing mix, as there were a large number of people, including young families, who were trying to get on the home ownership ladder and this did not help them. He believed that this matter needed to be reviewed.

Councillor Beckett asked the Senior Planning Officer what percentage of drainage would go into the water butts. He was advised that the surface water drainage scheme allowed for 105 litres per day, per person. Control of the flow rates from the whole site would still be required and water butts were an added measure to collect water. The control of surface water remained a condition on the outline consent that the developer would need to discharge and comply with.

Councillor Bovingdon wished to have placed on record his thanks to the Senior Planning Officer for putting together the report. He believed the housing mix to be quite reasonable and suggested that Members should have regard to the bigger picture. He was aware, from his professional experience, that this scheme would have come out of discussions with agents and the Council. It would be a means of providing cheaper housing and he therefore supported the recommendation.

Councillor Bill Hunt declared himself to be in favour as a general rule, but the acceptance of tandem parking was, he believed, quite naive. This was a way to squeeze more houses per acre and there would be problems for emerging vehicles. He also thought that in future developments the Council should be protected against the costs of maintaining public open space. Echoing the comments made by Councillor Tom Hunt about the housing mix, he too believed that this should be taken into account as it was difficult to get on the property ladder and starter homes were needed for first time buyers.

The Chairman reminded Members that the application would provide 29.89% affordable housing, and this was something to be commended.

It was proposed by Councillor Bovingdon and seconded by Councillor Beckett that the Officer's recommendation for approval be accepted.

It was resolved:

That approval of planning application reference 15/01254/RMM be delegated to the Planning Manager, subject to the conditions, as set out in the Officer's report.

98. **15/01313/OUT – LAND EAST OF 139 THE BUTTS, SOHAM**

Julie Barrow, Senior Planning Officer, presented a report (Q239, previously circulated) which sought outline planning permission for the construction of a two storey detached dwelling with garaging, access and associated site works.

Members were asked to note that the agenda front sheet referred to the applicant as being "Ms L Cook". This was an error and the applicant was in fact, Mr C Palmer.

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The application had been brought to Planning Committee at the discretion of the Planning Manager because the applicant is Councillor James Palmer's father.

It was noted that during the course of the application the applicant had confirmed, via his agent, that he wished access, appearance, layout and scale to be determined at this stage. Landscaping would remain as a reserved matter. Amended plans were submitted by the applicant in order for the aforementioned matters (save landscaping) to be fully assessed. The application had therefore been assessed based on the plans submitted on 15<sup>th</sup> February 2016. Since that date, the applicant's agent had also submitted computer generated images of the proposed dwelling together with a Draft Energy Performance Certificate/SAP Calculation document.

The proposal included the creation of a new access off Cherry Tree Lane together with a driveway, parking and turning area and path leading to the front entrance. The proposed access incorporated an adoptable standard turning head which would be constructed and offered for adoption by Cambridgeshire County Council. This turning head would form an opening in the existing hedge which bordered the front of the site and would also serve as the access to the site.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, an indicative layout of the proposal and computer generated images to illustrate the materials to be used. There were also slides relating to visual and residential amenity, and highways safety.

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

- The principle of development;
- Visual amenity;
- Highway safety;
- Residential amenity; and
- Drainage.

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

The benefits of this application were considered to be the provision of a residential dwelling built to modern sustainable standards and the positive contribution to the local and wider economy in the short term through construction work.

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The site was located outside the established development framework of Soham, approximately 0.5km from the edge of the settlement boundary. It was not well connected to the services and facilities on offer in Soham and future occupiers would be reliant on a private motor vehicle.

The Committee was reminded that a previous application for a residential dwelling on the site was made in outline form with all matters reserved apart from access. The application was refused by the Committee in December 2014 because it did not contain sufficient detail to demonstrate that it would be an exemplar development.

Paragraph 55 of the National Planning Policy Framework stated that local planning authorities should avoid new isolated homes in the countryside unless there were special circumstances. Proposals for exceptional quality or innovative nature of design, which helped to raise standards of design in rural areas and reflected the highest standards in architecture, were considered to fall within special circumstances. Such proposals were also expected to significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area.

The applicant had sought to demonstrate that the proposal now under consideration fell into this category of special circumstances. The contemporary design was coupled with a desire to achieve an energy efficient dwelling and a draft Energy Efficiency Report was submitted with the application. The report stated that an energy efficiency rating of A could be achieved and that measures such as the installation of an air source heat pump would be incorporated into the scheme.

The principle of the proposed dwelling was therefore considered acceptable in line with paragraph 55 of the NPPF, provided its impact on the visual amenity of the area did not cause demonstrable harm.

In terms of visual amenity, whilst the proposed dwelling was contemporary in design, due to the rural nature of the area, there was no requirement for a particular style or form of property to be put forward in order to complement any existing architectural style. Whilst it could be argued that the design was not truly outstanding, it was innovative for the area and was considered to be of a much higher quality of design and construction than much of the housing stock within the District.

On balance, it was considered that subject to an appropriate landscaping scheme being submitted and approved at reserved matters stage, the proposed dwelling could be accommodated on the site and that the scale, form and layout of the site related sympathetically to the surrounding area. The proposal was therefore considered to meet the requirements of paragraph 55 of the NPPF as well as Policies ENV1 and ENV2 of the Local Plan.

Members noted that the Local Highway Authority had raised no objection to the proposal and welcomed the proposed provision of a turning head to Cherry Tree Lane; if suitably designed and constructed, it would adopt it under the Highways Act 1980.

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With regard to residential amenity, there were no existing dwellings within close proximity or adjacent to the site and the introduction of a dwelling of this size and scale would not be overbearing or cause any loss of privacy. It was considered that the proposal complied with Policy ENV2 in this regard.

The Committee was reminded that the site was located in Flood Zone 1 and was not therefore at high risk of flooding. The Internal Drainage Board had not objected to the application on the basis that soakaways were an effective means of surface water disposal. Any planning permission granted would be subject to a condition requiring a detailed drainage strategy to be submitted and approved by the Local Planning Authority.

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

- A similar application had come to Committee in November 2014 and Members had discussed it at length;
- This application was the revised proposal;
- The Council could not demonstrate that it had an adequate five year supply of land for housing and therefore development proposals should be approved unless any adverse effects significantly and demonstrably outweighed the benefits;
- A public footpath ran close by leading to College Close;
- With regard to energy efficiency, the dwelling was not specifically to be a passive house. The aim was to achieve an A rating;
- Cherry Tree Lane was not a track, it was a public highway;
- It was proposed to offer the turning head for adoption by the County Council. This would be of benefit to the community.

Councillor Beckett asked if the dwelling was a modular design as it seemed to have been somewhat softened. Mr Fleet replied that it would be masonry constructed on site; the philosophy was client driven.

Councillor Bill Hunt said he was delighted to see that the proposal included a turning area and wondered if the access road might also include a passing place. Mr Fleet said one might be incorporated into the frontage and agreed that it could be beneficial.

Councillor Tom Hunt commented that he had been happy with the previous application and with the changes to this proposal, he now believed it to be an exemplar development. He failed to see how it could have a negative impact because there were no immediate neighbours and Highways had raised no objections; any impact would be small. He duly proposed that the Officer's recommendation for approval be accepted.

Councillor Beckett concurred, saying that if the Council could demonstrate a five year supply, it might be a different matter. However, the



architect and applicant had done a good job in producing a design that was very under-bearing and unobtrusive.

Councillor Bill Hunt seconded the motion for approval, saying that it was a very good thing that the application had formalised the commitment to have a turning head.

When put to the vote,

It was resolved unanimously:

That planning application reference 15/01313/OUT be APPROVED, subject to the conditions as set out in the Officer's report.

99. **15/01476/OUT – LAND ADJACENT 12 HOLT FEN, LITTLE THETFORD**

Richard Fitzjohn, Planning Officer, presented a report (Q240, previously circulated), which sought outline planning permission for the erection of four dwellings and associated works. All matters were to be reserved.

The application site was located to the south east of Little Thetford adjacent to, but outside of the established development framework for the settlement. It currently had a B8 Use and comprised various stores and portable buildings connected with its use as a scaffolding yard. The existing access was in the north east corner of the site, opposite 12 Holt Fen.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial view of the location, an indicative layout of the proposal, an illustrative of the elevations, and slides relating to impact upon landscape and settlement character, and highway safety.

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

- The principle of development including loss of employment land;
- Impact upon landscape and settlement character;
- Residential amenity;
- Ecology
- Flood risk and drainage; and
- Highway safety.

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

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The benefits of the application were considered to be the provision of an additional four dwellings to the District's housing stock and the positive contribution to the local and wider economy in the short term through construction work.

Members noted that the site was last in use as a scaffolding yard and comprised a B8 Use. It was stated within the submitted Design, Access, Supporting and Heritage Statement that the site had been advertised on the Enterprise East Cambs (EEC) website since May 2015. The particulars for the property had also been mailed out to over 200 applicants on the agent's own register, with no interest received to date.

Whilst it was accepted that the site had not yet been marketed on the EEC website for 12 months as specified within the Local Plan, Policy EMP1 gave some flexibility to take account of sites that were no longer viable for employment use. On the basis that the site had generated no interest in terms of being purchased for an employment site, it was considered that the site was no longer viable for employment use. The loss of employment land would be outweighed by the community benefits in terms of four additional residential dwellings to the District's housing stock and the positive contribution to the local and wider economy through construction work.

With regard to the impact on the landscape and character of the settlement, the proposal included the retention of the hedging which would provide significant screening to the four dwellings and could be secured by condition. It was therefore considered that the proposal would not create a significant urbanising impact to the undeveloped side of Holt Fen, nor would it create a significant detrimental impact upon the character and appearance of the area.

The proposal included a redesigned indicative layout to that which formed part of the previously refused planning application 14/01370/OUT. Plots 2, 3 and 4 would front towards Holt Fen Common, in keeping with existing dwellings. The submitted plans demonstrated that a suitable relationship could be achieved in terms of layout and design which would not create any significant overbearing, overshadowing or overlooking impacts between the plots.

The Planning Officer said that there had been some concerns regarding the railway line adjacent to the site, which constrained the layout of the scheme. However, internal noise issues could be overcome through the layout of habitable rooms and through the use of mechanical ventilation. A Noise Impact Assessment had been submitted and outdoor amenity levels were found to be within the upper limits of the British Standards.

It was noted that the existing use as a builders yard or scaffolding use could recommence at any time, which would involve unrestricted heavy goods vehicle movements through the centre of the village. It was accepted that a residential use of the site would be likely to create less of an impact upon nearby residential amenity than other potential uses. It was therefore considered that, subject to layout and design, the proposal would not give rise to any significant issues in relation to residential amenity and a scheme which accorded with Policy ENV2 of the Local Plan could be achieved. A

condition could also be imposed removing permitted development rights for the creation of further windows or openings.

Members were reminded that a Protected Species Survey had been submitted with the application and it concluded that owls and bats were unlikely to be present as there was no evidence of Barn Owls and no evidence of bats or bat roosting sites. The suggested conditions would cover the protection of biodiversity on the site.

The Council's Trees Officer had been consulted on the application and had confirmed that there was no objection to the removal of a number of Category U trees within the site. The suggested conditions would address tree protection.

The application site was located within Flood Zone 1 and did not require a Flood Risk Assessment. The Internal Drainage Board had been consulted on the application and commented that they had no in-principle objection, but wished to see full details of the proposed surface water drainage system for the site. The details of the surface water drainage system could be dealt with by attaching a condition to any outline planning permission.

The Planning Officer stated that the existing access would be retained and it would serve a new road into the site. The indicative layout showed that adequate turning and parking could be achieved for each plot. Cambridgeshire County Council had raised no objections to the proposal, subject to conditions being imposed in relation to surfacing materials, a gates restriction, access construction, drainage, manoeuvring areas and the submission of a Traffic Management Plan.

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

- A similar application had been refused in April 2014;
- This application had been carefully considered and additional information provided;
- A Phase 1 ecological report had been submitted and no concerns were raised;
- The site had been made available through the Council's Enterprise East Cambs website and local agents, but no interest had been shown;
- The site was not viable for affordable housing or employment use;
- The proposed four dwellings would add to the District's housing stock and bring economic benefits;
- The garages and outbuildings could be used for home employment;
- The density would be the same as that of adjacent properties;

- Noise levels were within British Standards;
- There had been no third party objections to the application, which would provide much needed housing in the District.

Mr Tuck concluded by thanking the Planning Officer for the way in which he had managed the application.

Councillor Bill Hunt said he was impressed with the detail of the application and thought that the 1½ storey chalet style would fit the site very well. He hoped Officers were in discussion to try and preserve the rural outlook of the site, as he believed small hedges around the houses could contribute to the ambience. He also cautioned that adequate precautions should be taken regarding the railway line.

Declaring this to be a good application, Councillor Bill Hunt duly proposed that the Officer's recommendation for approval be accepted. The motion was seconded by Councillor Bovingdon, who declared his wholehearted support for the scheme.

In response to a question from Councillor Beckett, the Chairman said it was not possible to impose a condition requiring the dwellings to be 1½ storeys but discussions would take into account the rural nature of the location and Officers would work with the applicant to retain this.

Proceeding to the vote on the motion,

It was resolved unanimously:

That planning application reference 15/01476/OUT be APPROVED, subject to the conditions as set out in the Officer's report.

*There was a comfort break from 3.30pm to 3.35pm.*

100. **15/01478/FUL – 32 THE HOLMES, LITTLEPORT, CB6 1NH**

Barbara Greengrass, Senior Planning Officer, presented a report (Q241, previously circulated) which sought consent for the demolition of an existing bungalow and its replacement with a pair of semi-detached single bedroom bungalows each with a single parking space. The proposed bungalows were designed to enable occupation by local disabled or elderly residents as arranged by the Littleport Town Land Charity.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial view of the location, an illustrative of the proposal and two photographs relating to the street scene.

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

- Principle of development;
- Visual amenity;

- Residential amenity; and
- Highway safety.

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

The benefits of this application were considered to be the provision of an additional and replacement dwelling built to modern, sustainable building standards, and the positive contribution to the local and wider economy in the short term through construction work.

The site was located within the development boundary of Littleport and was therefore considered to be a sustainable location. It was currently occupied by a single bungalow which was set back from the site frontage and surrounded by bungalows within spacious plots. The proposed bungalows would be set further forward and virtually fill the plot from one side to the other. The visual impact and dominance of the built form was exacerbated by the fact that it would extend to the edge of the plot on a prominent corner in the street scene.

The provision of two accessibility parking spaces on the frontage backing onto the highway further exacerbated the overdeveloped and cramped nature of the development. It was considered that the impact of the development, due to its bulk and scale, would have a significantly and demonstrably harmful impact on the street scene and the character of the area sufficient to warrant refusal.

Members were reminded that Highways had recommended refusal because the parking arrangement would require drivers to either reverse out or complete a reversing manoeuvre on to the road on a corner with limited forward visibility. This would likely lead to the detriment of highway safety for the residences and all other road users. The proposal also did not incorporate adequate on-site parking which would likely result in an undesirable increase in on-street parking to the detriment of highway safety.

At this point, the Chairman informed the Committee that Mr Neil Cutforth, agent for the applicant, was unable to attend the meeting but had asked for his comments to be read out. The Democratic Services Officer read out the following prepared statement:

*“The application site was bequeathed to the Littleport Town Land Charity by the former owners in recognition of the valuable work carried out in providing almshouses for use by elderly or disabled members of the community of Littleport, who require dwellings which are practical to their needs, compact and requiring minimal maintenance. The Land Charity currently has 13 similar properties in The Holmes.*

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*The proposed demolition of the existing dwelling and replacement with two single bedroom bungalows which helps to fulfil this need will help reduce the waiting list of people who need this type of accommodation assistance which will allow them to maintain a level of independence. The waiting list currently has in excess of 20 names.*

*This type of dwelling needs to be reasonably small and only needs a minimal garden area to limit the amount of maintenance required and as such should not be subject to the standard planning policies in terms of recommended site areas for dwellings or density constraints. As a safeguard, could I suggest that the Committee considers whether a condition on any planning consent limits the use of the proposed dwellings to almshouses, to be administered by the Littleport Town Land Charity and that they will not be marketed.*

*With regard to parking, the current property has a single width driveway and garage which could accommodate three cars which need to reverse on the highway in the same way and similar position to the proposed parking. As such, I would suggest that the highway safety issue has been reduced by the development, which only now shows provision for two cars. The road is a cul-de-sac and there are currently only three dwellings beyond the application site which only generate limited vehicle movements.*

*Car parking is not essential to the proposal and as such, if the Committee feels that the highway safety issue is insurmountable, perhaps they could recommend that if a further planning application were to be submitted without the car parking provision that it could then be recommended for approval.”*

Councillor Tom Hunt asked whether, if the application was to be granted permission, it would be possible to impose a condition requiring the bungalows to be almshouses in perpetuity. Secondly, he wished to know whether the charity would continue to own the almshouses or could sell them to the residents. The Senior Planning Officer replied it was her understanding that the charity would retain ownership of the properties and control of occupancy in the long term by legal agreement. Councillor Cox said he could confirm that the charity owned all the residences for the people on their list.

Councillor Hunt continued by saying that this was a very quiet road and he could not imagine it ever having a significant number of cars there. He thought there was quite a lot of space on the site and the units did not need large gardens; he believed it was possible to achieve two units on the site. He proposed that the Officer's recommendation for refusal should be rejected and planning permission should be granted.

The Senior Lawyer interjected to remind Members that land ownership was not a planning consideration; the decision was on the dwellings themselves, not who lived in them. Members were entitled to give their views, as had Highways, and they were being asked to consider whether or not the level of highway use was suitable on the plot. She cautioned Members about going against the Highways recommendation for refusal.

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The Chairman reiterated that this was about a highway safety concern. Although the number of vehicles might reduce, the number of vehicular movements were expected to increase.

Councillor Cox congratulated the Senior Planning Officer on her report. He said he regarded the houses would remain as part of the Town Land Charity. He could not get his head round the image of the two dwellings impacting on the street scene because he believed they would complement it. The parking available was within the possession of the charity and the proposed parking for the application site was on the elbow rather than the corner. Visibility was extremely poor in both directions; however, if the wall was removed, this would be as good as one could get. He supported Mr Cutforth's views and believed that there should be a sensible approach to parking. On balance, he supported the Officer's recommendation for refusal.

Councillor Beckett felt that this was an emotive issue because while there a need for more of this type of housing for an ageing population, it should not rule planning decisions. He agreed with the Officer's comments regarding bulk and the width being overbearing, and thought that this could be addressed by moving No. 32a back on the site. This would open up visibility on the corner and improve the feel overall. He thought that traffic could increase quite substantially, and he questioned whether decision on the application could be deferred, or the application refused. As it was, he could not support the proposal in its current form.

The Chairman reiterated that Members had to consider what was before them today. Two applications had already been refused and he supposed that the application could be amended to be more acceptable. The Senior Planning Officer added that she agreed with Councillor Beckett's remarks, saying that development issues could be overcome. However, the application would be unable to overcome the Highways' objections and even if the application was deferred, this objection would still stand.

Councillor Bill Hunt said that Councillors could be less restricted in their views and common sense should be used. It was his opinion that the proposal would enhance and improve community resilience and he did not consider it to be overdevelopment. The current site was an eyesore and visibility issues could be accommodated by having dwarf walls and low vegetation. This was a much needed facility which would be welcomed and the Committee should take a broader view.

The Chairman reminded Members that Councillor Tom Hunt had proposed rejection of the Officer's recommendation. He added that many of Councillor Bill Hunt's comments did not sit within planning and the Council should not be put at risk regarding highway safety because their objection could not be overcome. He agreed with Councillor Beckett's remarks but urged the Committee to take an assessed view.

Councillor Tom Hunt acknowledged that Highways was an important statutory consultee, but said he believed that elected Members should be free to make their own decisions.

### AGENDA ITEM NO 3

Councillor Bill Hunt seconded the motion to overturn the Officer's recommendation and grant planning permission.

When put to the vote the motion was declared carried, there being 4 votes for and 3 votes against.

It was resolved:

That planning application reference 15/01478/FUL be APPROVED for the following reasons:

- The scheme will enhance and improve community resilience;
- Members do not believe that the built form will be overdevelopment of the site;
- Members believe that Highway's concerns are not that significant;
- There will be significant community benefit from these additional units.

It was further resolved:

That the imposition of suitable conditions and a S106 Agreement be delegated to the Planning Manager.

#### 101. **15/01532/FUL – 13 FOREHILL, ELY, CB7 4AA**

Richard Fitzjohn, Planning Officer, presented a report (Q242, previously circulated) which sought consent to demolish the existing outbuildings and extension to the rear of the tattoo shop and to erect a 3 storey extension comprising an extension to the shop at ground level, the creation of a new first floor flat and a new second floor flat, in addition to alterations to an existing first floor flat. The proposal would also include the addition of a new door fronting onto Forehill.

The site was located on the north east side of Forehill within the established development framework for Ely and within the Ely Conservation Area.

It was noted that the application had been brought to Planning Committee because the applicant was Councillor Elaine Griffin-Singh.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial view of the location, illustratives of the proposal and the floor plans, existing and proposed elevations, and two photographs showing views to the rear of the building.

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

- Residential amenity;
- Character and appearance of the Conservation Area;
- Highways; and



- Archaeology

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

The benefits of this application were considered to be the positive contribution of two additional dwellings to the district's housing stock, the positive contribution to the local and wider economy in the short term through the construction of the new dwellings and the extension to an existing business.

The proposed first floor flat would face towards the kitchen and bedroom windows of the existing flat with a separation distance of only 5.3 metres. Following concerns raised regarding loss of privacy due to the close proximity of adjacent windows, the applicant submitted an amended plan which included a film over the kitchen window and half of the bedroom window of the existing flat to obscure the glass. It was considered that this was not a sufficient enough measure, as stick on film was not considered to be obscure glazing. In addition, it would result in an unacceptable loss of outlook for any occupier of the existing flat.

With regard to the proposed three storey extension, it was considered that due to its height, its siting on the boundary and its proximity to the neighbouring windows of Flats No. 2 and No. 4, which were within the neighbouring building of No. 15 Forehill, the proposal would create a detrimental loss of light and undue overbearing to those windows. This would create a detrimental impact upon residential amenity, which was contrary to Policy ENV2 of the Local Plan.

In terms of the character and appearance of the Conservation Area, the proposed extension would be significantly screened from view from the frontage of the north east side of Forehill and the roof line would not be significantly visible within the street scene. The Conservation Officer had been consulted and it was considered that the proposal would not create a significant detrimental impact upon the character or appearance of the Conservation Area.

Cambridgeshire County Council had been consulted on the application and stated that there would be no significant adverse impact on the public highway.

It was noted that the site lay within an area of high archaeological importance. The County Council had commented that they had no objection to the application, subject to a condition requiring the implementation of a programme of archaeological work prior to development. A condition could be imposed should Members be minded to go against the Officer's recommendation and grant permission.

### AGENDA ITEM NO 3

At the invitation of the Chairman, Ms Judith Brear, agent for the applicant, addressed the Committee and made the following points:

- Essential repairs were required because there were drainage problems and the overloading of the main drains had escalated deterioration;
- The rear of the shop was poorly constructed and the walls retained damp;
- The rear of the building was not used, but it would be common sense to make use of it;
- The passage through to No.11 was a goodwill access;
- Income generation would be required to carry out improvements;
- The windows of the new studio flat would be 5½ metres away, and privacy was already an issue;
- The windows would be obscure glazed, not stick on film;
- The proposal would be no more overbearing to the rear of No.13 than it was currently;
- Loss of light would not have a huge effect on the whole property and roof windows could be installed to address overlooking;
- The building needed to be kept fit for purpose and attractive;
- The adverse impacts would not outweigh the benefits.

At the invitation of the Chairman, Ms Fay Peters, a tenant, spoke in support of the application and made the following remarks:

- She had been running the tattoo business since 2010 and now needed more floor space to expand;
- She wanted to increase her staff to 12 people and offer more services;
- She wished to stay in Forehill;
- She had invested in the refurbishment of the premises and it had been a significant achievement, requiring liaison with ECDC Officers;
- There was physical deterioration to the building and she wanted to support the landlord and other tenants.

Councillor Beckett asked the Planning Officer if the drainage included provision for rain coming off the roof and was advised that rain would run off into the main sewer. He said that he had found it very difficult to get his head round this application. Looking at the coverage of the whole site he was concerned that there was a distance of only 5 metres from one window to another. There would be a significant impact on the gardens, making them

quite dark and he did not see how the proposal would add to the viability of the tattoo shop. The three storey element was part of the problem and in view of this, he proposed that Members should support the Officer's recommendation for refusal.

The Chairman commented that with city centre locations there would always be a certain amount of compromise. However, he agreed that residential amenity and the distance between the windows was a matter for concern. The location was a restricted site, and while something could be achieved, he felt that this was just too small.

Councillor Austen seconded the motion for refusal of the application. When put to the vote, the motion was declared carried, there being 5 votes for, 1 against and 2 abstentions. Whereupon,

It was resolved:

That planning application reference 15/01532/FUL be REFUSED for the reasons given in the Officer's report.

**102. 16/00016/FUL – 2 HIGH FLYER COTTAGES, ELY, CB7 4RA**

Richard Fitzjohn, Planning Officer, presented a report (Q243, previously circulated) which sought planning permission for the erection of a two storey extension to the north side of the existing semi-detached dwelling, sited on part of the existing driveway which served the property. The proposal included a modest single storey lean-to element which would adjoin the rear of the proposed extension.

It was noted that this application had been called in to Planning Committee by Councillor Mike Rouse.

The original proposal was 6.15 metres wide. An amended plan had since been submitted by the applicant with a 1 metre reduction to the width of the proposed extension. However, this reduction was not considered to be sufficiently significant to satisfactorily address Officers' concerns.

A number of illustrations were displayed at the meeting including a map of the application site, an aerial view of the location, a block plan of the proposal and proposed elevations, and a photograph relating to visual amenity.

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

- Visual amenity; and
- Residential amenity.

With regard to visual amenity, it was noted that the Highflyer Cottages were located within a relatively isolated setting, surrounded mainly by open agricultural fields. There were dense residential developments to the west of

the application site, and whilst the Highflyer Cottages were currently isolated, the North Ely development had been approved adjacent to the site.

It was accepted that due to the relatively isolated location of the site, the impact of the proposed extension on the character and appearance of the area would not be significant. However, the proposal did not follow good design principles in terms of scale and proportion and would visually unbalance the existing pair of semi-detached dwellings to an unacceptable degree. It had been suggested to the applicant that it was likely that a proposal combining a narrower two storey side extension with an extension to the rear of the dwelling could, in principle, be supported by Officers. However, it was understood that this suggestion was not viable to meet the wishes or needs of the applicant.

It was therefore considered that the proposal was contrary to Policy ENV2 of the Local Plan, the East Cambridgeshire Design Guide, and Chapter 7 of the National Planning Policy Framework.

On balance, the scheme would provide a short term benefit to the local economy through the construction of the proposed extension and it would not create any significant detrimental impacts upon the residential amenity of any neighbouring properties. However, the harm to the appearance of the existing dwellings was considered to be significant enough to outweigh the benefits to warrant refusal of planning permission.

At the invitation of the Chairman, Mr Christopher Lee, applicant, addressed the Committee and made the following comments:

- He wished to clarify that he had lived in the Cottages, next to his two siblings, for five years and the farm was his sole place of work;
- The Cottages were on a private drive next to an ex RAF base;
- The extension would allow plenty of room between No.3 and parking would not be compromised;
- The extension would be roofed to complement the existing;
- The extension was needed to accommodate his family, and 5 metres would allow an ideal working area.

Councillor Tom Hunt proposed that the Officer's recommendation for refusal be overturned because the impact of the proposed extension would not be significant and he struggled to see the harm to visual amenity; he felt that there should have to be a significant negative impact to warrant refusal.

Councillor Beckett disagreed, saying that while he had sympathy with Mr Lee, he was concerned that the proposal would add 50% to the size of the dwelling. Here were two pairs of farm cottages, traditional within the area, and the extension would be disproportionate. For this reason he was minded to support the Officer's recommendation.

Councillor Bill Hunt thought this to be a very finely balanced matter and his gut feeling was that the Officer was right. However, there was the

water tower and the old MOD establishment on one side of the road, and it could not be ignored that major development was coming to the other. High Flyer Cottages would not continue to be lovely little terraced cottages for long. He agreed with the comments made by Councillor Tom Hunt and duly seconded his motion for approval of the application.

When put to the vote, the motion to grant approval was declared carried, there being 5 votes for, and 2 votes against. Whereupon,

It was resolved:

That planning application reference 16/00016/FUL be APPROVED for the following reasons:

- There will be very little impact on residential amenity;
- There is no local opposition to the scheme;
- As a result of modifications, the extension is sufficiently subservient to the existing building;
- The impact on visual amenity will not be significant.

It was further resolved:

That the imposition of suitable conditions be delegated to the Planning Manager.

**103. TPO E/01/16 – 60 ELY ROAD, LITTLEPORT**

Neil Horsewell, Trees Officer, presented a report from which Members were asked to confirm a Tree Preservation Order (TPO) for three Cedar trees in the grounds of 60 Ely Road, Littleport.

The Trees Officer advised the Committee of the requirement to confirm the TPO to protect the trees and drew attention to paragraph 4.4 of his report, which summarised the concerns and objections raised.

It was noted that the Order had been made because the Council had received a notice of interest in developing the site and the trees on the site were currently unprotected. It was therefore deemed expedient to serve the TPO to protect the Cedar trees to ensure they were not removed before any future planning applications were submitted to the Council.

In response to a question from Councillor Bovingdon, the Trees Officer confirmed that the TPO could, if necessary, be modified.

Councillor Hunt said he was pleased to hear this as it put the Authority back in charge of what was happening, otherwise there could be a development where large trees would not be suitable. He declared his total support for the Officer's recommendation because he thought this location was an important approach into Littleport.

Councillor Beckett concurred, saying that the trees added considerably to the area and the scenery. With the TPO in place, Members

would have input to their future and there could be negotiation if an application came forward.

It was proposed by Councillor Bill Hunt and seconded by Councillor Beckett that the Officer's recommendation to confirm the TPO be accepted.

When put to the vote,

It was resolved unanimously:

That Tree Preservation Order TPO E/01/16 be confirmed, without modifications.

**104. PLANNING PERFORMANCE REPORT – FEBRUARY 2016**

Rebecca Saunt, Planning Manager, presented a report (Q245, previously circulated) which summarised the planning performance figures for February 2016.

She asked Members to note that the final page of this month's report showed a breakdown of enforcement cases. Julie Barrow, Senior Planning Officer, had taken over the management of the Enforcement Team and in future, a report would come to Committee on a quarterly basis.

Councillor Bill Hunt said that while he accepted the Planning Manager's comments about consultation (Minute No.97 refers) and would take them into account, he cautioned Officers to be very careful. Some planning applications came under intense scrutiny and for a public body to make recommendations before consultation was finished could cause difficulties. He believed this should only be permitted in exceptional circumstances.

The Chairman responded by saying that it was a very rare occurrence and there had to be flexibility. Officers did all that they could to mitigate the situation, and in this instance, he had said that he was happy for the application to come to this meeting.

Councillor Beckett offered his congratulations to the Planning Team because it gave him great pleasure to see numbers coming down. The Chairman agreed, adding that the report made for very positive reading and provided Members with all the details they needed to know.

Councillor Bovingdon offered his congratulations to those Officers who had presented reports for the first time, as he imagined they must have found it very daunting.

It was resolved:

That the Planning Performance Report for February 2016 be noted.

The meeting closed at 5.05pm.