



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO 3

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

P R E S E N T

Councillor Mike Rouse (Vice chairman in the Chair)
Councillor Sue Austen
Councillor Ian Bovingdon
Councillor Lavinia Edwards
Councillor Bill Hunt (Substitute for Councillor Paul Cox)
Councillor Tom Hunt
Councillor Lisa Stubbs

OFFICERS

Julie Barrow – Senior Planning Officer
Maggie Camp – Legal Services Manager
Richard Fitzjohn – Planning Officer
Neil Horsewell – Trees Officer
Catherine Looper – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Mike Bradley
Councillor Lis Every
Councillor Richard Hobbs
20 members of the public attended the meeting.

15. **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Joshua Schumann, Derrick Beckett, Paul Cox, and Neil Hitchin.

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

16. **DECLARATIONS OF INTEREST**

Councillor Hunt declared a potentially prejudicial interest in Agenda Item No 9 (16/00548/FU3 – Council Depot, Barton Road Ely). He said that being Chairman of the Asset Development Committee, he did not think it was appropriate for him to comment on the application, as the Council was the

applicant. He would therefore go and sit in the public gallery during the consideration of and voting on this item.

17. **MINUTES**

It was resolved:

That the Minutes of the Planning Committee meetings held on 26th May and 8th June 2016 be confirmed as a correct record and signed by the Chairman.

18. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed Catherine Looper, Planning Officer, to her first meeting of the Committee.

19. **16/00263/OUT – LAND OPPOSITE THE COMMON HOUSE, 1A SECOND DROVE, LITTLE DOWNHAM.**

Richard Fitzjohn, Planning Officer, presented a report, R51, previously circulated, which sought outline planning permission for the erection of a detached four bedroom dwelling, with all matters reserved, apart from access.

A block plan had been submitted with the application which showed details of the proposed access and an indicative layout of the dwelling. The application was also accompanied by supporting documentation in the form of two Flood Risk Assessments and a Flood Risk Sequential Test.

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

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, a block plan of the proposal and recent photographs of the proposed site and its surroundings.

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

- Principle of development;
- Impact on the character and appearance of the area;
- Flood risk;
- Highway safety; and
- Residential amenity.

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The Planning Officer stated that the Local Planning Authority (LPA) 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, as set out in the National Planning Policy Framework (NPPF).

The site was located significantly outside of the established development framework of Little Downham, along a single track road with no public footpath. It was also located in Flood Zone 3, and for these reasons it was considered that the location was unsustainable.

Members noted that the application site and the surrounding area were predominantly rural with few examples of built form. It was considered that the erection of a dwelling on the south east side of Second Drove, which had no built form within the vicinity of the site, would create an isolated dwelling within the countryside which would be visually intrusive to the detriment of the character and appearance of the surrounding open fen rural landscape. It was considered that the level of harm would significantly and demonstrably outweigh the benefits of a new dwelling.

With regard to flood risk and drainage, the Planning Officer reminded Members that the National Planning Policy Framework (NPPF) required Local Planning Authorities (LPAs) to steer new development to areas with the lowest probability of flooding by applying a Flood Risk Sequential Test. It was for the LPA to decide whether or not the application site passed the Test.

In this case, the development type proposed (a new dwelling house) was classified as 'more vulnerable' and should therefore not be permitted unless it was necessary. The NPPF also stated that development should not be permitted if there were other reasonably available sites located in areas with a lower probability of flooding. As there were other sites which did not fall within Flood Zone 3, the proposed development was not necessary in this location and it therefore failed the Sequential Test.

In terms of highway safety, there was good visibility in both directions and the Local Highway Authority did not think the proposal would have a significant adverse effect on the public highway.

Due to the distance of the application site from the closest residential property (The House on the Common) it was considered that the proposal would not create any significant adverse impacts upon residential amenity.

Although the proposal would bring an additional dwelling to the Council's housing stock and a positive contribution to the local and wider economy in the short term, it was considered that these benefits would be outweighed by the significant and demonstrable harm which would be created by the proposal on the character and appearance of the surrounding landscape. There would also be the unnecessary siting of a dwelling in Flood Zone 3 when other sites were available elsewhere with a lower probability of flooding.

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

- Although not local, he had lived in the UK for 30 years and in his present house for 17 years;
- He had lots of sympathy for people wanting to come back to live in the area where they had grown up;
- He was aware that many generations had farmed in this area;
- He was concerned at the lack of strategic context. The implied impact of allowing the dwelling was that it would transform the character of the area;
- The Council liked to factor in these things and if it was on the Plan, it well outside of it;
- If the application was approved, it would set a precedent for incongruous development;
- This should be factored into the overall thinking;

Councillor Bill Hunt asked Mr Eversman where he lived and when his house was constructed. He replied that he lived opposite and his house was constructed in 1991.

At the invitation of the Chairman, Amy Barker, applicant, addressed the Committee in support of her application and made the following remarks:

- The statement triggered her decision to move back to the family home and the NPPF made reference to applications being approved in the absence of a current 5 year land supply for housing;
- It would be important to share the benefits of living closer with her family. There would be a reduction in travelling for her and this would enable her to help care for her close family;
- At the moment her life was very unbalanced because she was not getting home until 10.00pm, which was very exhausting;
- In the 1950s Planners agreed to allocate council housing in nearby villages under Policy PP7, but ECDC had reneged on this without giving a reason;
- Four B&G Taylor Homes had recently been granted permission at Committee, and they were less than a mile away from her site location;
- The Committee had prior knowledge that there were no available dwellings;
- If granted permission, she would raise her dwelling so as to avoid any flood risk in line with the Flood Risk Assessment;

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- The proposal would not be truly isolated and her house would complement the countryside;
- It had the backing of all the Parish Councillors and complied with policy.

Ms Barker concluded by asking Members to help bring a balance back to her family.

Councillor Bill Hunt asked Ms Barker if she had any letters or documentation to show that she had the full backing of the Parish Council. She replied that she did not, but it was recorded in the Parish Council minutes.

In response to a question from the Chairman, Ms Barker said that the land around her house would be set to grass and she would have her horses there. In time, she might possibly have equestrian activities there.

At the invitation of the Chairman, Councillor Mike Bradley addressed the Committee in his capacity as a Ward Member for Downham Villages and made the following points:

- He had called in the application because although the location was rural, it was not isolated;
- Initially he was on the fence, but now fully supported the proposal
- All the land was low lying but in terms of visual appearance, the first things one would see were the equestrian centre and lorries;
- One would also see trees before properties;
- This was a serious decision about how to utilise the land and it required careful consideration. His conclusion was that the application should be approved.

The Chairman noted that the photographs did not show the house opposite the application site and he asked the Case Officer why. The Planning Officer replied that within his presentation he was concentrating on the site location side of the road. In the rest of his presentation he had shown aerial pictures and also a plan showing the location of the property opposite the site, reference was also made to the other property throughout his committee report.

Councillor Bovingdon said he struggled to see how the site location could be considered isolated when there was a substantial building only 27 metres away and a haulage depot was at the end of the road. The Case Officer replied stating that there was no built form to that side of the road and therefore the proposed dwelling would be isolated as there were no other dwellings situated in immediate vicinity.

The Chairman thanked the Planning Officer for producing a very balanced report and opened the application up for debate.

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Councillor Bill Hunt noted the impassioned plea by Ms Barker, but reiterated that personal matters were irrelevant. It was not appropriate to compare this application to any others because each had to be judged on its own merits. He believed that the Officer was correct in his recommendation and he saw no reason to go against it. He therefore proposed that the planning application should be refused.

Councillor Austen seconded the motion for refusal.

Councillor Bovingdon said he was minded to go against the Officer's recommendation and approve the application. He believed the benefits did outweigh the harm and the Sequential test could not be applied because other sites had not yet been brought forward.

The Chairman said he had been impressed by the applicant speaking of young people living in the fens and caring for the community. He believed that there should be encouragement for those who wanted to come back to their home area to do that.

Returning to Councillor Bill Hunt's motion for refusal, it was put to the vote and declared carried, there being 4 votes for , 2 votes against, and 1 abstention. Whereupon,

It was resolved:

That planning application reference 16/00158/FUL be REFUSED, for the reasons as detailed in the Officer's report.

20. SOHAM HEALTH CENTRE, PRATT STREET, SOHAM, CB7 5BH

Andrew Phillips, Senior Planning Officer, presented a report (R52, previously circulated) which sought planning permission for 10 dwellings (5 two bed, 4 three bed and 1 four bed) on a driveway designed with pedestrian footways and including a parking courtyard (part front parking/part rear parking courtyard).

It was noted that the application had been called in to Planning Committee by Councillor Ian Bovingdon.

A number of illustrations were displayed at the meeting, including a map, an aerial photograph, a layout of the proposal and illustrative of the proposed dwellings.

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

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

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Members were reminded that the Council could not currently demonstrate an adequate five year supply of land for housing 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, as set out in the National Planning Policy Framework (NPPF).

The proposal was located within the village framework and was well connected to village services and facilities, and for these reasons the location was considered to be sustainable. The building currently on the site was no longer needed as a health centre and its loss was not considered to be substantially detrimental to the community of Soham. For this reason the proposal met with the requirements of Policy COM3 of the adopted Local Plan.

With regard to highway safety and parking provision, the Committee was informed that extra conditions would be imposed to take account of comments received on 27th June 2016 from County Highways.

The Senior Planning Officer said that the application for the new health centre on the other side of the road had a Grampian Condition to ensure that a suitable pedestrian crossing was provided. With both developments seeking to come forward at approximately the same time and with the road layout likely to change in the foreseeable future, it was considered necessary to add a Grampian Condition to this application to ensure there remained a safe pedestrian crossing between the proposed development and the health centre.

The current street had double yellow lines, but if a new road layout was constructed by the County Council, it would fall within their responsibility to ensure the free movement of traffic to and from the school was duly controlled. Pedestrians would have the right of way over the footpath at the private driveway crossing.

In connection with residential amenity, it was noted that the majority of the proposed dwellings would overlook their own gardens, parking areas or the school's car park and therefore there would be a minimal loss of amenity which would not warrant refusal of the application.

The proposed density of the development was slightly on the high side, but it was noted that it was within very close proximity to the centre of Soham. With the properties having gardens with a rear length of approximately 9 metres and access to two parking spaces, it was considered that the proposal did not lead to an overly cramped development for the local area. The simple design of the dwellings was unlikely to have a noticeable impact on the character of the local area or Conservation Area.

Councillor Bovingdon said he had called this application in to Committee after having consulted the other Soham Members because there were concerns about parking. He asked the Senior Planning Officer if he was satisfied that there was enough parking for the scheme and the Senior Planning Officer replied that he was, because each dwelling would have two parking spaces and there would also be the double yellow lines.

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The Chairman commented that the footpath to the Weatheralls School was very heavily used and the application showed that cars would have to reverse on to the highway; this was not an ideal situation. The Senior Planning Officer said that vehicles were supposed to leave in forward gear. However, the visibility splays had been designed so that there should be no obstructions.

The Chairman next asked whether or not refuse vehicles would go down the road to collect rubbish from the bins stores. The Senior Planning Officer replied that the area around the bin store was very tight but the bin store would keep the bins off the public footpath and the lorries would not go down the private road.

Councillor Tom Hunt proposed that the Officer's recommendation for approval should be supported. The Council was unable to demonstrate a 5 year supply of land for housing and this scheme would provide an additional 10 dwellings in the District. He was happy with the housing mix not least because the smaller properties would offer a good opportunity for young people to get a foot on the housing ladder and he believed that Members had a moral mission to help them.

Councillor Bovingdon seconded the motion, saying he believed this was the best design for a limited space. When put to the vote,

It was resolved unanimously:

That planning application 16/00373/FUM be APPROVED, subject to the conditions as detailed in the Officer's report and highways conditions following comments received on 27th June 2016 from County Highways.

21. 16/00392/FUL - SITE ADJACENT 30 AND 32 ROSWELL VIEW, ELY

Julie Barrow, Senior Planning Officer, presented a report (R53, previously circulated) on behalf of the Case Officer, Lesley Westcott.

Members were asked to consider a full application for the erection of a detached three bedroom house. The proposed dwelling would be three storeys and incorporate accommodation in the roof. The scheme included the provision of two parking spaces adjacent to an existing parking area and the realignment of an existing footpath to accommodate the additional parking.

It was noted that the application had been called in to Planning Committee by Councillor Ian Bovingdon.

A number of illustrations were displayed at the meeting. These included a map of the application site, an aerial photograph, a layout of the elevations, block plan and floor plans of the proposal, photographs of the site, the elevations for plots 1 and 2, and photographs relating to impact on the Conservation Area.

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

- Principle of development;
- Impact on the character of the Conservation Area;
- Residential amenity;
- Trees;
- Storm water drainage; and
- Highways.

Members were reminded that the Local Planning Authority (LPA) 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, as set out in the National Planning Policy Framework (NPPF).

This application was located within the settlement boundary for Ely and would go some way to addressing the five year housing supply shortfall. It would bring economic benefits in terms of construction work and additional population to support local businesses.

With regard to impact on the character of the Conservation Area, it was noted that there were concerns about the principle of trying to squeeze another dwelling onto this site. It was considered that the siting of the proposed dwelling would be incongruous and have a jarring appearance in respect of the layout and relationship of the existing two blocks of flats. While the proposal would match the architectural style and appearance of the existing buildings, it appeared overly large in size and was of no architectural quality. It was considered that the building would neither preserve or enhance the character or appearance of the Conservation Area.

In terms of residential amenity, Members were reminded that the Appeal against refusal of planning application 15/00694/FUL had been dismissed on the grounds that *'the proposal would be harmful to the living conditions of No. 30 with particular reference to sunlight, daylight, overshadowing and outlook and harm significantly and demonstrably outweighs the benefits associated with the scheme.'*

It was considered that although this application was for a detached dwelling, these issues had not been addressed and the proposed development would still have a detrimental impact on the residential amenity of No. 30 Roswell View.

Members noted that the storm water pond was prone to flooding. However, despite no detailed surface water drainage scheme and assessment of the impact of the development on the pond having been

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submitted as part of the application, it was felt that this could be addressed by means of a condition.

The proposed development would make provision for two parking bays, which would require a modification to an existing footpath within the site. The Highway Engineer had raised no objections to the scheme subject to a standard condition relating to the minimum dimensions of the proposed parking bays being attached to any approval.

At the invitation of the Chairman, Mr John Chapman, addressed the Committee in objection to the application and made the following remarks:

- The proposal was incongruous and would do nothing to enhance the Conservation Area;
- It was contrary to Policy ENV2 and the NPPF;
- It would spoil the enjoyment of the residents of the flats;
- The balcony of Flat No. 30 would become unusable because it would be overlooked and overshadowed. It would lose its continuous outlook and suffer loss of daylight;
- Springs flooded into the gardens – this was high risk;
- The proposal would mean building into the pond and the existing water course. This was a serious cause for concern regarding surface water drainage;
- The proposal would mean the removal of protected trees;
- The pond was a habitat for fauna and flora, including newts;
- Previous appeals had been dismissed and this application was recommended for refusal;
- The existing flats had a pleasant landscaped garden and it was never intended that there should be an additional dwelling on the site.

The Chairman asked Mr Chapman when the properties were built and he responded approximately 15 years ago.

At the invitation of the Chairman, Councillor Richard Hobbs spoke in his capacity as a Ward Member for Ely East and made the following comments:

- He was representing the residents of Roswell View and also speaking on behalf of Councillor Lis Every, the other Ward Member for Ely East;
- He supported the recommendation for refusal;
- He wished Councillor Bovingdon to clarify whether he was intending to vote on this application, given that he had called it in to Committee. *(Councillor Bovingdon confirmed that it was his intention to vote but he had no feelings about it either way);*

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- He remembered the development being controversial at the time it came forward, but it was fitted into the site while protecting the view;
- The impact on the residents of No. 30 would be too much to bear and the proposal would be totally out of keeping with the character of the area;
- He urged the Planning Committee to refuse the application because the residents of Roswell View had lived under this shadow too long.

Councillor Stubbs asked the Senior Planning Officer why the Internal Drainage Board (IDB) was not concerned with the proposal and was advised that the area was not covered by the IDB.

Councillor Bovingdon explained that he had called in the application because the applicant had approached him and was concerned that it was recommended for refusal. He had believed that lots of the reasons for refusal had been addressed and put to bed. He questioned whether the key point was the impact on No. 30.

The Senior Planning Officer responded, saying that there had been a change in the proposal from an attached to a detached building. Officers were now looking at the impact on the Conservation Area; this was intrinsically linked to the trees and their loss to the Conservation Area.

The Chairman noted that the Trees Officer was present and invited him to make comment on the application. The Trees Officer said he believed that the occupants of the proposed dwelling would have a nuisance from the retained trees because Willows were fast growing and produced frequent debris. His concerns were about what would happen in the medium and long term as he believed the Council would face more pressure to carry out works.

The Chairman recalled that the whole area had underground springs and he thought that removing the Willow trees could affect the foundations of the nearby buildings. The Trees Officer agreed that the foundations could be influenced.

Councillor Bill Hunt said that having weighed up the positives and negatives, he believed this to be a truly dreadful application. He shared the horror of the residents of Roswell View and hoped their nightmare would be ended today. He duly proposed that the Officers recommendation for refusal be supported.

Councillor Stubbs seconded the motion, saying that this was a very constrained site and the proposed dwelling would impact on residential amenity.

Councillor Tom Hunt concurred; it was a ridiculous application and he had never been so convinced that Officers had got it right.

When put to the vote,

It was resolved unanimously:

That planning application reference 16/00392/FUL be REFUSED for the reasons as detailed in the Officer's report

22. **16/00410/FUL – PADRO HOUSE, ELY ROAD, CHITTERING, STRETHAM, CB25 9PZ**

Julie Barrow, Senior Planning Officer, presented a report (R54, previously circulated) which sought consent for the extension to the existing anaerobic digester plant at The Produce Connection Limited.

Two Primary Digester Tanks were proposed, alongside a Digestate Storage Tank and set into the ground to ensure the same height as the primary Digester tanks. The tanks would have the same external appearance as those already existing on the site.

The tanks would be located on an existing hard standing area to the rear of existing storage buildings and to the north of the existing plant. The expansion of the plant would enable the operator to produce its own fuel to power vehicles transporting the raw material to the site. This, in turn, would reduce the number of vehicle movements to and from the site in connection with the transportation of the raw fuel and would remove the need for raw material to be stockpiled on site.

The existing drainage system would serve the new tanks and the tanks themselves would be partially screened by the existing earth bunds and landscaping surrounding the site.

It was noted that the application had been brought to Planning Committee in accordance with Section 5.4 of the Council's Constitution, which requires all large scale renewable energy development (which includes all proposals that involve anaerobic digestion to generate heat, electricity or a combination of the two) to be determined by Planning Committee.

A number of illustrations were displayed at the meeting, including a map of the application site, an aerial photograph, a layout showing the existing plant and the area currently used for raw material storage, the proposal indicating the siting of the new tanks and views from the old A10 showing the tanks in relation to the existing storage unit.

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

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

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Members noted that the principle of constructing an anaerobic digester plant on this site had been established through the earlier grant of planning permission in 2012 under reference 12/00055/FUL.

Local Plan Policy ENV6 related to renewable energy development and stated that proposals for renewable energy and associated infrastructure would be supported unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable.

With regard to visual amenity, the proposal would be located on an area currently used for storage. The new tanks would be adjacent to the existing ones and partially screened by the existing farm buildings to the west and the bund that had been constructed to the north, east and south of the wider site. There were limited public views across the farmland to the east of the site, where the new tanks would be most visible. They would be similar in appearance to the existing tanks, and this could be secured by condition.

Speaking of residential amenity, the Senior Planning Officer said that a number of concerns had been raised by residents of Chittering. These included the liquid waste being spread on farm land also being deposited on School Lane, the lack of a footpath in School Lane, the Lane not being fit for the size of vehicles/machinery used to transfer liquids, and the smell of the waste effluent.

Concerns had also been raised by some residents of the Lazy Otter Meadows about the number of slow moving vehicles accessing the site along the former A10 and travelling past the Park. The number of traffic movements in connection with the Plant was expected to significantly reduce and the type of vehicles in use was also expected to greatly differ. This was illustrated by a slide which showed the number of current movements in comparison to those proposed under the new regime.

A Transport Statement had been submitted and examined by the County Council Transport Planning Team and was found to be acceptable. On the basis of the information submitted, it was considered that the applicant had addressed highway safety and that the reduction in the number of vehicle movements and the change to gas powered lorries would reduce the traffic and transport impacts of the Plant as a whole.

In connection with drainage and flood risk, the Environment Agency had approved the existing tank construction and drainage system which was in operation on the site. The submitted details were acceptable and it had no objection to the proposal. The Internal Drainage Board had also confirmed that all planning matters had been addressed and they had no objections to the scheme.

At the invitation of the Chairman, Mr Ron Tuck, a resident of School Lane, addressed the Committee and made the following points:

- He and his wife moved to School Lane 10 years ago;
- There had been an increase in traffic in that time;

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- The bigger tankers were meant to reduce movements, but why did the company not build its own road instead?;
- Some of the drivers were maniacs, using their mobile phones and eating whilst driving;
- There was now a caravan park at the Travellers Rest and the children used the play park, so these lorries could put children at risk;
- This was a small community and people felt they were being ridden over roughshod;
- What would happen if one of these new vehicles broke down? It would block the Lane, and in an emergency this could be a matter of life and death.

At the invitation of the Chairman, Myra Gaunt, a resident of Chittering, spoke in objection to the application and made the following comments:

- The tractors that spread the waste were wider than the road;
- This road was their pavement and there was a play park at the end of School Lane;
- The water main was only 2 feet below the soft verge;
- There was a slurry tractor along the Lane every 20 minutes, 24 hours a day, except for Saturday afternoons and Sundays;
- The lights from the tractors kept people awake and they left a trail of unpleasant gunge;
- The application should be refused because it would see an increase in unpleasant conditions. If it was granted, traffic movements should be restricted to 6.00am to 6.00pm with none on Saturdays or Sundays;
- How would this be monitored?

At the invitation of the Chairman, Mr Steven Ripley, Operator, addressed the Committee in support of the application and made the following points:

- In 2012 permission was granted for the first plant to produce biogas;
- This had now moved towards bio-methane production, which was then pipelined to Cottenham and on to the grid at Cambridge;
- It would use a network with no extra entry points and be built cost effectively with economies of scale;
- There would be an increase in employment, another 4 jobs;

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- Regarding traffic movements, the next steps would be to bring in the lorries. This would bring significant benefits because the trailers could take three times the volume and would be more efficient;
- The vehicles would use renewable gas and be self sufficient;
- Licensed HGV drivers would operate the vehicles and integrate with the traffic;
- The vehicles would have better suspension systems and reduced emissions;
- There would be increased output, with carbon dioxide being captured on site;
- The proposal would provide additional energy;
- There would be no extra traffic in School Lane;
- Residents would be listened to.

Councillor Bill Hunt had a number of questions for Mr Ripley. Noting the Waterbeach Internal Drainage Board's comment regarding 'pollution incidents' in the past, Councillor Hunt said he had been told that the company had convictions for pollution, and he asked if this was what the IDB was referring to. Mr Ripley confirmed this had happened at the Waterbeach Airfield; the matter had been addressed and would not happen again.

Councillor Hunt next asked if it was one of the company's vehicles that had almost written off a house in Wilburton. Mr Ripley replied that it was, but the vehicles now did not go through the villages. Feedstock would no longer be transported in tractors and trailers and the lorries had more axles, so would cause less damage.

Councillor Hunt said he was really concerned regarding the number of vehicles per day, and there should be a proper control of this; this Authority needed to monitor those movements. Mr Ripley stated that there would be 10 movements per day and it was hoped to phase out the fast track vehicles in Quarter 3 of the next year. Councillor Hunt replied that this would be a positive move because the JCBs had caused considerable damage and distress to local communities by going through the villages.

Councillor Bovingdon said he was pleased to see the proposed changes, but had some concerns regarding the current mess left on the road from the slurry and he wished to know if this would reduce. Mr Ripley replied that the digestates were quite dilute and they were looking to evaporate and shrink them. This would result in there being less to carry. It was pure organic material and they did not see it as waste.

In response to a question from Councillor Stubbs, Mr Ripley confirmed that the lorry drivers would use a tachograph and digicard and the vehicles would be fitted with a tracking device. A manager would review downtime and fuel performance etc and this information could be made available for monitoring purposes.

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The Chairman asked Mr Ripley to clarify the position regarding the use of School Lane, as it seemed that there was a question about use at certain times. Mr Ripley said that Pretoria Energy rented land from 30 – 40 landlords and it was not in the company's interests to work against the community. School Lane had considerable arable land and with there being no one else down there, there was a finite amount of traffic because of the dead end. If there was little rotation next year, there would be little traffic. The company would do 20% per year, remove the concentration and be more accommodating.

Councillor Bill Hunt, directing his comments to the Senior Planning Officer, said concern regarding this application was so high that the final consent needed to be 'buttoned up' so that Enforcement could control it. The Senior Planning Officer replied that conditions regarding JCBs could not be imposed because they would be almost impossible to enforce and furthermore, the LPA could not restrict the use of the public highway. By way of a compromise, an approach similar to that taken with the Straw Burning Plant could be used. The operator could have a system to brief drivers on preferred routes and Enforcement could review the logs.

Councillor Tom Hunt proposed that the Officers recommendation for approval be supported. Whether the proposal would make things better or worse, the business would continue to exist. On the face of it, he was confident that things would be better. The key issues were enforceability and more HGVs. This was a business and it would bring 4 additional jobs. However, legitimate concerns had been raised and they must be addressed. It must be made clear to the applicant that there would be very close, continual monitoring.

Councillor Bill Hunt concurred, adding that he hoped Officers had noted the commitments. He was cynical but optimistic and suggested that the applicant should take on board the Mick George tracker system which had resulted in fuel savings of £5k per week.

Councillor Stubbs seconded the motion for approval, and when put to the vote,

It was resolved unanimously:

That planning application reference 16/00410/FUL be APPROVED subject to the conditions as detailed in the Officer's report.

At this point, Councillor Bill Hunt removed himself from his seat with the Committee and went and sat in the public gallery.

23. 16/00548/FU3 – COUNCIL DEPOT, BARTON ROAD, ELY

Andrew Phillips, Senior Planning Officer, presented a report (R55, previously circulated) which sought permission for the change of use of the secure storage depot adjacent to the public car park into additional 23 parking spaces. The proposal would lead to the removal of the gates on the northern edge of the site.

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A number of illustrations were displayed at the meeting. These included a map, an aerial photograph, the existing and proposed layouts and a photograph relating to highway safety and parking provision.

The Senior Planning Officer reiterated that this application was concerned only with parking provision; the application for housing would be considered at a later Committee meeting.

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

- Principle of development; and
- Highway safety and parking provision.

With regard to the principle of development, it was noted that the developer had decided to move the market trader stalls to Portley Hill Depot in Littleport. The change of use from an underused depot to a car park was considered to be a positive move which would likely bring greater public benefits than at present.

The proposal would create an additional 23 parking spaces, and this was considered to be a maximum number, as when the parking bays were drawn out (not considered to be development) some of the spaces might become disabled parking spaces.

It was noted that if the existing car park was reconfigured, the market traders would still have dedicated parking spaces. Their spaces were outside of the application site and unaffected by this proposal.

At the invitation of the Chairman, Ms Michelle Wolfe spoke in objection to the application and read from the following prepared statement:

'Thanks to Mr Phillips, Senior Planning Officer, for his report and presentation.

Thanks also to the applicant for recognising the dedicated parking needs of a prestigious local business.

With regard to this application, I have serious concerns about the applicant's plan to relocate the market traders' stalls to the Portley Hill Depot on the outskirts of Littleport.

I consider this to be a wholly unsuitable and impractical alternative. These stalls are heavy and are hauled by a tractor.

The back road to and from Ely is not the best, particularly in winter. It is winding and unlit with precious few opportunities for drivers to overtake a heavily laden, slow moving vehicle. And there are times when two trailer loads of stalls are required. In short, it is an accident waiting to happen.

It may be argued that the market stalls were stored at Littleport many years ago. So why were they moved to the City? Traffic demands on all of our roads have increased over the years. And we are seeing many more

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market days in Ely now than ever before. Safety MUST be our prime consideration.

There are the street cleaners' barrow and sweeper to consider as well. Is the applicant proposing to send them to Littleport too ?

But of course these must all go somewhere. If space cannot be found for the stalls etc at this site then a more practical alternative within easy reach of the City's market place MUST be found.

Now, I understand from public questions at the recent Commercial Services Committee meeting that it is the applicant's intention to turn this site into a private car park instead of the original proposals which were for public parking. Where are the amended site plans? What are the proposals regarding access to the site from the main car park and from the entrance on Barton Road ?

The applicant states that the existing gate will be replaced on Barton Road. But with what? This site lies within a Conservation Area. Neighbours cannot change the style of their front door without first seeking approval from the Planning department. The applicant must submit plans for these gates before approval is granted or be subject to a planning condition.

Then, of course, there is the question of who is going to pay for all of this ?

This application is on the table today to help mitigate loss of car parking that would inevitably result from the Barton Road development proposals. Moving the car park (private or public – it makes no difference) to the Council Depot would allow the Council to reconfigure the western end of the main car park to partly make up for spaces that would be lost from the related development proposals.

All costs relating to the change of use of the Council depot, reorganisation of the main car park and relocation of the coach parking (should it ever come to that) MUST be borne FULLY by the developer - in this case, Palace Green Homes. This would be the case if a private individual or organisation wished to develop the coach park. To do anything less would leave this Council open to criticisms of offering unfair advantage to its own developer.

In summary, I would ask this Committee to DFER making a decision on this application until:

- *A more suitable alternative site can be found for the storage of the market stalls etc,*
- *Up to date proposed plans regarding site access and gates are submitted, and*
- *An undertaking that all costs associated with this application, the reorganisation of the main car park and the coach park will be met by the developer – Palace Green Homes.*

Thank you for your time.'

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

- He worked for Carter Jonas;
- He believed that determination of the application should be straightforward;
- The NPPF spoke of the efficient use of land and this would provide additional parking spaces;
- This proposal was connected to the application for houses, which was to be considered at a later date;
- Most of the comments had been about the parking on Barton Road and this application sought to address them;
- Coaches and their drop off points were irrelevant. This application met the requirements regarding parking spaces;
- There was sufficient space and a lockable gate, and the application should be approved.

Councillor Stubbs wished to know why the proposal was to be referred to the Secretary of State. The Senior Planning Officer said he had been contacted and told that the Secretary of State wished to review the decision; this was purely in the public interest.

There being no further comments or questions, it was proposed by Councillor Stubbs and seconded by Councillor Bovingdon that the Officer's recommendation for approval be supported.

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

It was resolved unanimously:

That approval of planning application reference 16/00548/FU3 be delegated to the Planning Manager, subject to referral to the Secretary of State to decide whether or not to 'call in' the proposal for determination.

At this point, Councillor Bill Hunt returned to his seat on the Committee.

24. PLANNING PERFORMANCE REPORT – MAY 2016

Rebecca Saunt, Planning Manager, presented a report (R56, previously circulated) which summarised the planning performance figures for May 2016.

Members were asked to note that the target for Minor Applications had not been reached. This was due to targets having been increased by 10%, and partly due to the loss of a Planning Officer.

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With regard to Appeals, one had been received in respect of an Enforcement Notice at 47 Cardinals Way, Ely in relation to CCTV cameras, and three had been decided.

The Planning Manager informed the Committee that the Planning Department currently had a very high caseload. The Support Team had cleared the backlog and they were now only 2 days behind. However, an agency worker was going to be taken on for 2 – 3 months to help cover the workload of the Planning Officers.

The Committee noted that the local press had reported a decision regarding an Appeal at Wicken. The case had been dismissed by the Planning Inspector and the appellant now had 12 months in which to demolish the three storey extension which had been erected without planning permission.

The Chairman thanked the Planning Manager for what he considered to be a very positive report. Members recognised that Officers were under pressure, but it was important that things did not slip. There were some big applications coming in the pipeline and he did not want the team to be snowed under. He wished them to know that they had the support of the Committee in whatever they needed to do to get through this busy period and he offered his congratulations to the team for all their efforts.

It was resolved:

That the Planning Performance Report for May 2016 be noted.

25. EXCLUSION OF THE PRESS AND PUBLIC

It was resolved:

That the press and public be excluded during the consideration of the remaining item no. 12 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).

26. EXEMPT MINUTES

The Committee received the exempt minutes of the meeting of the Planning Committee held on 8th June 2016.

In response to a question from Councillor Stubbs, the Planning Manager said that matters were progressing but would take time.

It was resolved:

That the exempt minutes of the Planning Committee meeting held on 8th June 2016 be confirmed as a correct record and signed by the Chairman.

The meeting closed at 4.17pm.