



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange,
Nutholt Lane, Ely on Wednesday, 6th December 2017
at 2.07pm

P R E S E N T

Councillor Joshua Schumann (Chairman)
Councillor Christine Ambrose Smith
Councillor Sue Austen
Councillor Derrick Beckett
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Mark Goldsack
Councillor Bill Hunt
Councillor Mike Rouse
Councillor Stuart Smith

OFFICERS

Maggie Camp – Legal Services Manager
Barbara Greengrass – Senior Planning Officer
Oli Haydon – Planning Officer
Toni Hylton – Planning Officer (Agenda Item No. 11)
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Allen Alderson
Councillor Mike Bradley
Approximately 30 members of the public

115. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillor David Chaplin.

There were no substitutions.

116. DECLARATIONS OF INTEREST

Councillor Rouse declared an interest in Agenda Item 9 (17/01348/FUL – Orwell Pit Farm Bungalow, Downham Road, Ely, CB6 2SJ); he had called the application in to Committee so that Members would have the opportunity to discuss the issues around supporting the agricultural community.

He also declared an interest in Agenda Item No. 11 (17/01630/OUT – Land Opposite St Michael's Church, The Hamlet, Chettisham); he was

seeking clarification as to what was infill and its position with regard to the Local Plan.

Councillor Rouse wished to make it clear that there had been no predetermination of either application.

Councillor Hunt declared an interest in Agenda Item No. 7 (17/00960/FUL – Site Adjacent to No. 8 The Firs, Wilburton). He was one of the local Members and had called in the application for wider discussion. He wished it to be known that he was keeping an open mind.

Councillor Schumann declared a pecuniary interest in Agenda Item No. 8 (17/01231/FUM – Former Hillside Quarry, Corner of Quarry Lane and Heath Road, Swaffham Bulbeck, CB25 0LU), being a Trustee of a charity which had received a financial donation from the business which was currently operating next to the application site. He would therefore leave the Chamber prior to consideration of the application.

117. MINUTES

It was resolved:

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

118. CHAIRMAN'S ANNOUNCEMENTS

The Chairman did not make any announcements.

119. 17/00733/FUM – WORKS ADJACENT TO 7 CANNON STREET, LITTLE DOWNHAM, CB6 2 SR

Barbara Greengrass, Senior Planning Officer, presented a report (S183, previously circulated) which sought permission on a site of approximately 1.2 hectares (2.96 acres) for the construction of 27 dwellings of which 8 dwellings (30%) would be affordable housing with associated infrastructure, garaging and public open space.

On a point of housekeeping, the Senior Planning Officer stated that further correspondence had been received raising concerns about off street parking. Members were also asked to note that Plan PO40B, as listed in Condition 1, was no longer relevant and could be disregarded.

The site was located within the settlement boundary of Little Downham and had been allocated for housing within Policy LTD 1 of the adopted Local Plan and Policy LTD.H1 of the Proposed Submission Local Plan.

It was noted that the application had been called in to Planning Committee by Councillor Mike Bradley due to the strong feedback from the villagers and the Parish Council.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the layout of the proposal, a map showing the allocation of the site in the Proposed Submission Local Plan, photographs of the street scene, the housing mix, and elevations within the street scenes.

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

- Principle of Development;
- Visual Impact;
- Housing Mix & Affordable Housing;
- Layout & Public Open Space;
- Access & Highway Safety;
- Residential Amenity;
- Flood Risk and Drainage; and
- Ecology & Archaeology.

The site was identified within the adopted East Cambridgeshire Local Plan as within the settlement boundary of Little Downham, and it had been identified within Policy LTD.1 of the adopted Local Plan and Policy LTD.H1 of the Proposed Submission Local Plan, as a housing allocation for development of approximately 25 dwellings. The principle of residential development on this site was therefore acceptable.

With regard to visual impact, the Senior Planning Officer stated that in response to local opposition, the applicant had amended the vehicular access to the site from Cannon Street to Ely Road. This would result in the loss of two trees along that boundary but given the depth of the verge, the required visibility could be achieved without significant loss of the hedge. The Council's Trees Officer had not objected to the scheme other than to request that a replacement tree be planted due to the loss of the Cherry Tree to accommodate the proposed access.

The robust hedge along the western boundary would also be retained, thereby protecting the wider countryside from any significant harmful visual intrusion from this development.

Given the site's allocation and the fact that it was well enclosed by the farm buildings and existing vegetation, the visual impact of the proposal was considered acceptable, as some impact could not be avoided. It was also accepted that the site could adequately accommodate the 27 dwellings without appearing overdeveloped. The proposed density of 23 dwellings per hectare (9 per acre), with provision of open space, allowed for a scheme which would not appear overdeveloped in the context of its surroundings.

It was noted that the dwellings were a mix of 2, 3 and 4 bedroom detached, semi-detached and terraced properties. All 8 affordable units would be located in the south west corner of the site, and the Strategic Housing Officer had confirmed that this would meet housing need; this could be secured by a S106 legal agreement.

The dwellings were provided in the form of six different housing types and this would give variety in the street scene and a sense of place. The mix was considered acceptable in terms of Policies HOU1 and LTD1 of the adopted Local Plan in providing for a mix of dwelling types and sizes to reflect need.

It was proposed to have an area of public open space to the north east corner of the site. This position was considered acceptable as it would maintain some separation distance from the dwellings fronting Cannon Street and an area of green space was provided between No's 5 and 7 Cannon Street. The open space would be designed with a slight incline to provide exceedance storage for the SUDs system, and as the Lead Local Flood Authority had advised that it would be dry for most of the time, it would provide for usable open space on site.

In terms of access and highway safety, the County Highways Authority was satisfied with the access having been moved from Cannon Street to Ely Road and the Waste Team was satisfied that a refuse vehicle could turn within the site.

It was noted that the Parish Council had consistently expressed concern that there was insufficient parking within the scheme, which would encourage on-street parking. They had requested that at least 13 additional spaces be provided to avoid too many vehicles being parked on footways. They were also concerned about the width of the highway within the site and wished it to be widened to 6 metres to allow more space to park on the road. However, this was not considered reasonable, as the applicant had provided more than the standard amount of parking on site and the County Highways Authority was satisfied with the layout proposed.

Turning next to residential amenity, Members noted that the layout of the scheme had been designed to take into account that the residents to the north on Cannon Street would be impacted by this development. The open space had been sited to the rear of these properties and Plot 1 had been handed to allow provision of a single storey garage along the boundary with No. 7. Whilst there would be some overlooking as a result of the back to back siting of dwellings in the centre of the site, it was considered that the residential amenity of future occupiers had been safeguarded as the proposal complied with the parameters of the Design Guide in terms of plot sizes, building ratio and rear amenity space.

It was considered that the proposal would not have an ecological impact. Cambridgeshire Archaeology did not object to development proceeding in this location, but considered that the site should be subject to a programme of archaeological investigation; this would be secured by condition.

At the invitation of the Chairman, Mr Ian Hale, applicant, addressed the Committee and made the following points:

- The scheme would deliver 30% affordable housing;
- It was within the settlement boundary and was allocated in both the adopted Local Plan and the Proposed Submission Local Plan, therefore the principle was acceptable;
- There had been many objections to the proposal but he had worked hard with Officers to overcome them ;
- None of the statutory consultees had raised objections;
- The access to the site would now be on the Ely Road and there would be a crossing in Cannon Street with a footpath link along the Cannon Street side;
- Waste collection points had been added to the satisfaction of the Waste Team;
- Additional ecology surveys had been carried out;
- The concerns of the Lead Local Flood Authority had been addressed;
- The number of units had been addressed in paragraph 7.3.2 of the Officer's report, and this equated to a density of 23 dwellings per hectare;
- Parking had been reviewed and amended in response to concerns raised by the Parish Council. 64 spaces would be provided, with 11 visitor spaces and this was 23% over the standard requirement;
- With regard to the Parish Council's point about garages being converted to accommodation, this could be resolved by removing Permitted Development Rights;
- County Highways was satisfied with the width of the access road.

At this point the Chairman advised Mr Hale that he had exhausted his 5 minutes of public speaking time.

In response to a comment from Councillor Hunt, Mr Hale said that he had worked hard to try and overcome the Parish Council's objections.

Councillor Hunt noted that the road was to be built to adoptable standards and he asked Mr Hale if he would be prepared to apply to County Highways to have it adopted. Mr Hale confirmed that he was willing to do this.

Councillor Beckett enquired whether County Highways would be responsible for the SUDs system if they adopted the road and the Senior Planning Officer confirmed that this would be the case.

The Senior Planning Officer stated that she would like the removal of Permitted Development Rights for the conversion of the garages to be included in the conditions.

Councillor Hunt said that the application had been submitted and discussed before Full Council had approved the emerging Local plan. In the emerging Plan, tandem parking was not recommended and single garages were not treated as a space. In future applications he would expect tandem parking not to be included.

Councillor Rouse said he was satisfied that the applicant had worked well to try and overcome any difficulties and duly proposed that the Officer's recommendation for approval be supported. The Chairman remarked that he had noted how much the applicant had also worked with the community.

Councillor Beckett seconded the motion and commended the applicant for trying to work with, and for, the community.

When put to the vote the motion was declared carried, there being 9 votes for approval. Councillor Austen did not cast a vote as at one point she had been out of the Chamber during consideration of the application.

It was resolved:

That the Planning Manager be given delegated authority to APPROVE planning application reference 17/00733/FUM subject to the recommended conditions as set out in the Officer's report, the completion of a S106 Agreement, the inclusion of an additional condition regarding the removal of Permitted Development Rights and deletion of Plan PO4 Rev B from condition 1.

120. 17/00757/ESO – LAND PARCEL NORTH OF GRANGE LANE, LITTLEPORT

Andrew Phillips, Senior Planning Officer, presented a report (S184, previously circulated) which sought outline consent for up to 680 dwellings, including public open space, retail units and a community centre.

On a point of housekeeping, the Senior Planning Officer stated that the application would come back to Committee at the Reserved Matters stage.

The site was adjacent and to the west of the Highfield Farm development and Woodfen Road. The northern boundary was defined by the playing fields of the Primary School on Parsons Lane, and the southern boundary was defined by Grange Lane, which was the location of the main access onto the public highway.

It was noted that the application had been brought to Planning Committee due to its size and the Council's Constitution

A number of illustrations were displayed at the meeting, including a map, an aerial image outlining the application site, indicative and detailed layouts of the proposal, the phasing of the development, building points and spine road, an indicative of the community facility and shops, and an illustration of the bund.

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

- Principle of development;
- Highway Safety and Transport;
- Visual Impact;
- Housing Mix;
- Flood Risk and Drainage;
- Residential Amenity; and
- Contributions.

The Senior Planning Officer stated that the site was part of the Proposed Local Plan and formed part of the Council's ongoing five year supply of housing. Adopted policy (LIT2) covered approximately half the site and allocated 300 dwellings but the whole site was covered under the adopted Local Plan as a broad area for future dwellings. The site was covered by both adopted and emerging policy and for this reason was considered to be acceptable in principle.

Members noted that in relation to highway safety and transport, the main objections were around a bus route through the development, a pedestrian link to Woodfen Road, the lack of a plan for agreed bus stop improvements, no route shown to detail problems linking the site to the train station by foot, and no link to the adjacent primary school on Woodfen Road/Parsons Lane.

The lack of a bus route weighed against the proposal as it reduced the number of easily accessible methods of transport that people were likely to take. It would be difficult to provide long term viable bus routes into a new development and it was likely to be impractical for buses to enter and leave the development by the same route, as it would create an unnecessary diversion. A bus route was also outside of both the applicant's and the County Council's control.

The Local Highways Authority (LHA) had raised concerns about a link to Woodfen Road as there were no pedestrian facilities, it had a national speed limit, and was used by a business park. However, it was considered to be a popular informal pedestrian route and if LIT1 (LIT.M1 in the Proposed Local Plan) came forward, it would connect onto a wider pedestrian route. It was therefore considered that the risk to pedestrians would not be significantly increased in the short term and in the long term it would form greater pedestrian connectivity throughout the parish.

With regard to bus stop improvements on Ely Road, the developer's offer to pay approximately £30k had met the earlier requirements of the County Council Transport Team, but the Team was now requiring a plan from the developer showing the bus stop improvements.

The greatest existing issue in relation to Littleport Train Station was the lack of a safe crossing in front of the station across Station Road. This was the current situation for all Littleport residents and Members were reminded that a developer should not be used to fund improvements to an existing problem.

The developer was in discussion with Littleport Community Primary School on Parsons Lane in order to provide a footpath connection to and through the school. The S106 would need to include a requirement on the developer to provide a pedestrian link to the boundary of the school. As the Community Infrastructure Levy (CIL) that included Littleport schools could fund any on-school site improvements, it was considered that this requirement had been met.

The A10/A142 roundabout had long been a problem area and was currently undergoing a transport study. The current S106 agreements for the North Ely development and the Lancaster Way Expansion site were working against each other and would either lead to the roundabout being unable to cope with rush hour traffic or causing a substantial burden to the public purse. Officers were working with the County Council and Lancaster Way Business Park to overcome the problem and the revised study was likely to be completed in the summer of 2018; it was not considered reasonable to hold off a judgement on this proposal until the study was completed. The Senior Planning Officer had calculated that the developer should contribute approximately £194,820 (based on North Ely contributions) towards the off-site highway improvements.

Drawing Members' attention to the series of slides relating to visual impact, the Senior Planning Officer reiterated that this site had been allocated for 600 dwellings in the Proposed Submission Local Plan 2017. The greatest effect on the landscape would be to the west, as the Highfield Farm development would minimise the impact eastwards. The developer was proposing a buffer zone along the western boundary, which would maintain a rural edge and allow for a 2 metre bund that would help to obscure the new built form.

With the landscape buffer, it was considered that for those looking towards the site from the fen landscape to the west, the long term impact would be minimal. Once finished, the site would be viewed as a gentle slope and trees.

Turning next to the housing mix, the Senior Planning Officer said that while the proposal was not in full compliance with Policy HOU1, it was considered to be appropriate as it would provide a wide range of housing that would cater for a wide section of society. The proposal included space for retirement bungalows and flats, which would ensure that the elderly population was catered for. The affordable housing would be expected to meet lifetime homes standards. The development would provide a proportion of houses that were suitable/easily adaptable for occupation by the elderly or people with disabilities and would be very socially sustainable, as it would provide great flexibility.

It was noted that the Lead Local Flood Authority had raised no objections, subject to conditions and a S106 Agreement. The developer had amended the indicative master layout so that existing ditches on the site could be maintained or suitably upgraded. The exact details of the balancing pond could be conditioned and would need to be phased to correspond with the build out of the development.

As the proposal was a major development and would be built over a long period of time, it would have an impact on both existing and future

residents in the area. Conditions would be required to deal with unexpected contamination, noise mitigation measures and the requirement for a Construction Environmental Management Plan.

The 2 metres high bund would mean that the boundary treatment of individual houses would not have to be over engineered. The proportion of dwellings that might need mechanical ventilation was minimal in comparison to the overall development site and it was expected that the developer would demonstrate at the Reserved Matters stage how this would be addressed.

The Senior Planning Officer went through the expected contributions before concluding the positives and negatives of the proposal.

At the invitation of the Chairman, Mr Andrew Connolly, County Council Transport Assessment Team, addressed the Committee and made the following points:

- He was speaking on behalf of David Allatt, Transport Assessment Manager,
- The holding objection remained, as it was felt that a number of issues remained unaddressed;
- The Transport Assessment contained insufficient information;
- The NPPF stated that the development should be sustainable and not have an impact on the highway;
- The proposal was car dominant and there had been no proposal for improved bus services;
- It was not proposed to have a link to the school;
- There were no improvements proposed for pedestrians/cyclists to the train station;
- The development would have an unacceptable impact on the A10/A142 roundabout;
- Whilst a financial contribution had already been secured, it needed to be fair and deliverable. The figure stated in the Officer's report was not generated by Highways and had not been agreed by them.

During the course of discussion, Councillor Rouse asked Mr Connolly how much control the County Council had over bus services. Mr Connolly replied that it did not, but services could be secured.

Councillor Ambrose Smith noted that numerous points had been raised about being able to get around, and she said that Littleport Parish Council had an offshoot committee looking at access round the village on foot and cycle. The Parish Council was aware of the difficulties, especially at the railway station. Only a small section of Wood Fen Road was 60mph and the rest was a Drove; she asked if the Parish Council could apply for restricted access. Mr Connolly replied that the school was supportive of a link. Along Woodfen Road it would require something outside of the planning process, but this could be explored.

The Chairman said that reliance on cars was inevitable because of the numbers of bus services that were being reduced. Mr Connolly agreed, but said that there should still be a push for improved bus services. The Chairman responded by saying that bus companies were not keen to put in unviable routes.

Councillor Goldsack said a significant financial contribution had been made to the roundabout and asked if the figure of £194k was acceptable. Mr Connolly replied possibly not, because the sum had to be reasonable and justifiable. The Chairman interjected to say that the figure had been calculated on a pro rata basis based on the North Ely figures which were agreed by the County.

Councillor Beckett asked what proportion of cars were projected to use the A10/A142, but Mr Connolly was unable to give him a figure; the impacts were due to be determined in the next few weeks.

Returning to the issue of bus services, Councillor Ambrose Smith made the point that Littleport was to have a new secondary school. At present pupils from Littleport were being bussed to Ely but once the new school was open, they might choose to go to the new academy. In this event, the numbers would drop.

Councillor Cox stated that the Parish Council had the bus routes under consideration and he asked Mr Connolly if this had been factored in, along with the dualling of the A10; Mr Connolly replied that it had.

Councillor Goldsack summarised the County Council's three areas of objection, but said he believed the scheme was sustainable as a whole.

At the invitation of the Chairman, Mr Sykes Popham, agent, addressed the Committee and made the following points:

- Mr Martin Andrews of JPP was with him to answer any questions;
- This development would be a sustainable extension to Littleport and provide much needed housing;
- It would comprise 680 dwellings, of which 136 would be affordable, built to lifetime homes standard and pepperpotted about the site;
- There would be 46 live/work units, 34 self builds, retirement flats and bungalows, a community centre and shops;
- There would be 7 hectares of public open space, with all trees and features being retained, above policy requirements;
- The site was allocated in the Local Plan;
- There had been full engagement with Officers and the community;
- It would be a high quality scheme;
- Officers had advised that a bus route within the development would not be sustainable in the long term;

- Wood Fen Road was already well used by walkers;
- The developer could not be expected to sort out the existing deficiencies at the roundabout. Manor Homes was 100% committed regarding the cost of the A142 roundabout but should not be asked to do more than was reasonable and required a pro rata contribution and approach;
- Manor Homes was speaking to the school regarding access and the site would be next to two schools.

Councillor Smith wished to know how many properties would require mechanical ventilation and Mr Sykes Popham replied few, if any. However, this would depend on what the Local Authority required.

Councillor Goldsack asked if access to the school could be conditioned and the Senior Planning Officer replied that it could be dealt with by condition or the S106 Agreement. The Chairman reiterated that this would come back before Members at the detailed stage.

In response to a question from Councillor Beckett, Mr Sykes Popham stated that the developer had been in discussion with Highways since the beginning of the pre-application stage (approximately April 2016).

Councillor Ambrose Smith believed the community facilities and retirement properties should be brought forward in the first phase, as it would be a huge selling point and she asked if this could be done. Mr Sykes Popham replied that in principle it could be looked at, but the developer had brought forward the stage at which the community centre would be built. To front load the scheme might prove to be unviable, but this could be reviewed.

Councillor Beckett enquired whether a 5 metres access strip would be left around the open ditches, so they could be maintained. Mr Sykes Popham replied that this had been discussed with the LLFA, and the hedgerows and ditches would be retained in the public open space. The Planning Manager reiterated that this was only an outline application and the issue could be considered at the Reserved Matters stage.

The Chairman said he was pleased to see the representative from Highways at the meeting, but he was concerned by some of the comments made. He was therefore minded to recommend that consideration of the application be deferred to allow discussion on the issues raised, whilst continuing to work with the applicant.

Councillor Rouse supported this view and duly proposed that the application be deferred. In doing so, he said he found it extremely frustrating that there had been years of talking about improvements to the A142 roundabout. Money had already been drawn down and further monies were to be given for the improvements, and yet work was still being held up. Furthermore, if the County Council was saying that the new development should have a bus service comparable to that to be found in Cambridge, then there was no hope, because Littleport was very different to the city.

Councillor Beckett seconded the motion for deferral.

The Planning Manager advised Members that if they were minded to defer the application, it would most likely come back to Committee in February 2018. The Chairman commented that if there remained any unresolved issues by then, the application would still be determined.

Councillor Goldsack thought that Members should be very careful about going against Highways because of the safety implications for the Council. However, Woodfen Road was a track in the middle of nowhere and the developer was offering to put in a proper path. He questioned whether this was reason enough to defer the application. The Chairman replied that there were a number of issues, including access to the school.

On a point of information, the Senior Planning Officer said that nothing definite would be known about the A10 contribution until June 2018; he was trying to overcome a number of issues. His calculation of the £194k had been sent to the County Council on 9th November 2017.

The Committee then returned to the motion for deferral, and when put to the vote, it was declared carried, there being 9 votes for and 1 abstention.

It was resolved:

That the determination of planning application reference 17/00757/ESO be deferred to allow discussion to take place on the highways issues raised at the meeting.

121. 17/00960/FUL – SITE ADJACENT TO NO. 8 THE FIRS, WILBURTON, CB6 3FL

Andrew Phillips, Senior Planning Officer, presented a report on behalf of the Case Officer (S185, previously circulated) which sought consent for the erection of two semi-detached dwellings and associated works.

The application had been submitted following two previous refusals of planning permission for two semi-detached dwellings, and the reasons for those refusals were set out in paragraph 2.2 of the Officer's report.

On a point of housekeeping, Members were asked to note the following:

- A number of additional comments had been received after the publication of his report. These had been circulated to the Committee Members;
- The recommendation at paragraph 1.1, the fifth line should read '*... inappropriate development **with** no justification ...*'
- Page 7, paragraph 7.4.2 should read '*... side elevation facing No.8 ...*'
- Page 3, paragraph 5.1, the Parish Council had been re-consulted on the application;
- Page 3, paragraph 4.1, second line should read '*... area for **Wilburton...***'

The site was located within the established development framework and Conservation Area for Wilburton, to the rear of 38 High Street, a Grade II Listed Building. The remainder of The Firs comprised a modern residential cul de sac development with a traditional style.

It was noted that the application had been called in to Planning Committee by Councillor Bill Hunt who believed it was one of those cases which would benefit from full and comprehensive debate as was afforded by Planning Committee and he believed that both the applicants and the objectors should have the facility to be heard.

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

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

- Principle of Development;
- Visual amenity & heritage impacts;
- Residential amenity;
- Trees; and
- Highway safety and parking.

Speaking of the principle of development, the Senior Planning Officer said that as the application site was within the development framework for Wilburton, the principle of development was considered to be acceptable in terms of location, provided that all other material planning considerations were satisfied. This application overcame the refusal reasons relating to the 2 previous planning applications on the site - 15/00453/FUL and 16/01654/FUL.

In terms of visual amenity and heritage impacts, the height, scale, design and materials were in keeping with the existing dwellings along The Firs. The proposal was set back from the public highway, and sympathetic to the building line of adjacent dwellings.

The Conservation Officer had been consulted on the application and had no objections to the application, following the receipt of amended plans. It was considered that the proposed development would preserve the character and appearance of the Conservation Area and the setting of the nearby Listed Building, by virtue of its traditional design and materials which were in keeping with nearby dwellings. Furthermore, it was considered that the scheme would not cause any significant harm to the Grade II Listed Building, and the public benefit of two additional dwellings would outweigh the insignificant level of harm to the heritage asset.

With regard to residential amenity, the plots did not meet the 300 square metre plot size guidance or 50 square metres private amenity space guidance set out in the Design Guide SPD. However, a condition could be appended to any grant of planning permission removing permitted

development rights for extensions and outbuildings to allow the Local Planning Authority to control future development on the site.

Due to its height, scale, siting and windows, the proposed development would not create any significant overbearing, overshadowing, loss of light or loss of privacy to neighbouring properties, subject to the recommended conditions being appended to any grant of planning permission. The proposed development would therefore not create any significant detrimental impacts on residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the adopted Local Plan and policy LP22 of the Proposed Submission Local Plan.

Members were reminded that there was a large tree located outside of the site, but adjacent to the west boundary. An arboricultural report had been submitted with the application which concluded that protective fencing would prevent damage to the roots of the tree; the Trees Officer had stated that a condition requiring an up-to-date Tree Protection Plan would be sufficient to ensure protection of the tree.

It was noted that a number of concerns had been raised by Wilburton Parish Council and neighbouring occupiers regarding the impact of the proposed development and a number of representations highlighted existing parking and congestion issues along The Firs and Carpond Lane. The proposed development included individual accesses off The Firs for each dwelling and the provision of 2 additional dwellings on this site was unlikely to create significant increase in on-street parking. The proposal included adequate parking provision of 2 car parking spaces per dwelling, in accordance with the Council's adopted parking standards. Whilst there was likely to be some impacts during the construction phase in respect of parking and movements of construction traffic, they would be temporary and were not a reason for refusing planning permission.

The Local Highway Authority had confirmed that they had no objections to the amended plans.

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

- The two previous refusals were handled by the previous agents. The first application was determined by Planning Committee and the second decision was delegated;
- By way of clarification, the applicant, Ben Hughes, was the sole owner of the site. The site was in different ownership from that of the adjacent Grade II listed cottage in the High Street which was owned by the Pell Estate;
- Residents had raised concerns but both previous reports stated that the site had capacity for two dwellings and this was a material planning consideration;

- Further pre-application advice had been taken for this application and amendments had been made based on the reasons for refusal;
- The design was traditional with the scale and size of the proposal having been reduced;
- A suitable relationship could be achieved and the proposed dwellings had been moved back in line with previous comments that had been made;
- The Conservation Officer supported the proposal;
- There would be adequate visibility splays and the scheme did have tandem parking;
- The applicant was happy to erect a fence prior to the commencement of development;
- The proposal was developable and deliverable and it conformed to both local and national policy and was in a sustainable location.

Councillor Rouse observed that the rear boundary near Carpond Lane was not in a straight line and he asked if it was to be straightened up in relation to the adjacent driveway. Mr Tuck said that it would, based on the Land Registry plan and therefore would be widened and straightened.

Councillor Hunt queried the measurement at the back of the house to the boundary, as he could not see how it would be possible for a vehicle to come out of the driveway onto The Firs without first moving the other parked car. Mr Tuck replied that the visibility splays needed to be kept clear, and a width of 5 metres was required for two cars to pass each other. The Chairman asked if there could be 4 metres between the visibility splays; Mr Tuck replied that it could be done but it would be very tight.

Councillor Beckett queried if the grey slate area was within the boundary of the site. Mr Tuck confirmed that the existing fence was the boundary of the site.

Councillor Goldsack wished to know whether the 300 square metres per dwelling was guidance or a rule. The Senior Planning Officer replied that it was guidance, and the proposal was for two small dwellings. In response to Councillor Goldsack's further question about density, the Senior Planning Officer said that this would be a 'dense' development.

Councillor Hunt commented that the proposal did not satisfy the Design Guide requirement of 50 square metres of amenity space. Councillor Ambrose Smith responded by saying that the proposal would provide two modest houses, and besides which, not everyone wanted large gardens.

At this point the Chairman reiterated that the application had previously been refused because of the positioning and design of the dwellings.

Councillor Hunt stated that as a Committee, Members had to make decisions on what was before them. He made reference to the minutes of the meeting held on 6th November 2017, where the Chairman had expressed his support for the Local Plan and the Design Guide. It was right that Members should discuss and investigate issues, and he felt it should be taken into account that the adopted highway was outside the site as there was no footpath on the highway.

He continued, saying that this area was absolutely packed at school times and the concerns of the residents should be listened to. The distance to the rear of the plot was unacceptable and the total size of the site only equated to 400 square metres, 200 square metres per plot. The proposal incorporated tandem parking and the driveway was not wide enough for two cars. He duly proposed that the Officer's recommendation for approval be rejected and the application be refused. His reasons were: parking, overdevelopment, lack of amenity for the neighbours and it was contradictory to local guidelines. Councillor Austen seconded the motion for refusal.

Councillor Rouse remembered the previous issues, and said he believed the applicant had done his best to overcome them; straightening the boundary line would make it easier to accommodate the proposal. Something in keeping with The Firs was wanted and he believed the new properties would meet that need. He was therefore minded to support the Officer's recommendation.

Councillor Cox expressed his support for the scheme but Councillor Beckett said he agreed with Councillor Hunt. The proposal was overdevelopment, it was contrived, and the parking would add to congestion in the locale. He also felt that two storey dwellings would be out of keeping in the area. Councillor Smith supported refusal for the same reasons.

The Planning Manager reminded Members that the size of the plot had never been raised as an issue in the past when the application was determined by Planning Committee and the second by Officers, and this was a material planning consideration.

The Chairman commented that he could not see the harm. The applicant had been asked to amend the scheme and had done so. The proposal was in keeping with the street scene and adjacent properties. The Chairman also said that there were no nearby bungalows and a bungalow would be out of character with the area and Councillor Hunt interjected with a point of clarification and pointed out that the property opposite the application site was a bungalow.

The Committee returned to the motion for refusal. When put to the vote, there was an equality, there being 5 votes for and 5 against. The Chairman used his casting vote against the motion, which was declared lost.

The Committee next turned to the Officer's recommendation for approval and when put to the vote, this resulted in an equality, there being 5 votes for and 5 votes against. The Chairman used his casting vote to support the motion which was declared carried. Whereupon,

It was resolved:

That planning application 17/00960/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

There was a short comfort break between 3.57pm and 4.09pm.

Councillor Schumann left the Chamber and Councillor Rouse assumed the Chair for the duration of the next application.

122. 17/01231/FUM – FORMER HILLSIDE QUARRY, CORNER OF QUARRY LANE & HEATH ROAD, SWAFFHAM BULBECK, CB25 0LU

Andrew Phillips, Senior Planning Officer, presented a report (S186, previously circulated) which sought planning permission for the construction of 19 dwellings with associated parking and amenity space, while retaining existing offices.

Members were advised that the application had been brought back to Planning Committee due to the material change in policy following the approval by Full Council of the Proposed Submission Local Plan for its final consultation and submission to the Secretary of State for examination and the updated five year supply report which demonstrated that the Council currently had a supply of available and deliverable sites which exceeded the five year requirement. The Officer's report also set out additional consultation and neighbour responses not stated in the October committee report.

The site was located partially within the Cambridge Green Belt, with the existing office building fully within the Green Belt. It was adjacent to the T-junction of Quarry Lane and Swaffham Heath Road, approximately half way between two sections of the village that were within the village framework. The proposed 19 dwellings were all outside the Green Belt, although the garden of Plot 19 was partially within.

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

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

- Principle of Development
- Current Committee Decision
- S106 Discussions ongoing

With regard to the principle, Members noted that adopted POLICY GROWTH2 was now relevant to the determination of this application and account could be taken of emerging Local Plan Policies LP1 and LP3.

Policies Swaffham Bulbeck 3 and Swaffham Bulbeck 6 gave an indicative size of 12 dwellings on this site. Planning law required that applications must be determined in accordance with the development plan unless material considerations indicated otherwise. In this instance, it was considered that it was a material consideration that the Planning Committee had already resolved to grant planning permission subject to the completion of a S106 Agreement, together with the site's status within the Proposed Submission Local Plan.

The Strategic Planning Officer had stated "*The Proposed Submission Local Plan suggests an indicative site capacity of 12 dwellings. This figure is generally a rather crude estimate, based on assumptions about the net site area. Unless specifically stated, the indicative dwelling capacity figure is not intended to be a maximum or minimum limit. If a proposal presents a suitable design solution, but exceeds the indicative site capacity, I do not see this as a reason for concern.*"

The Senior Planning Officer stated that S106 discussions were ongoing but nearing conclusion.

At the invitation of the Chairman, Mr Chris Holt, a local resident, addressed the Committee in objection to the application and made the following comments:

- There should be a maximum number of 12 dwellings on the site. This number had been reached following diligent research by the Parish Council and to dismiss it rode roughshod over the community;
- The traffic would be a danger because the site was on a blind corner;
- The visitor parking was 100 yards away from the houses. Was it likely that people would use it ? Residents would park on the road on a blind bend and impinge on the pavement, which was used every day;
- The design was inappropriate for the village because it would dominate the view. It was overdevelopment;
- Swaffham Bulbeck was a village, not a town, and the density of the proposal was urbanisation;
- The Officer's report stated that 6 neighbour responses were sought, but 90 responses had been made;
- There were two other development sites within 100 yards of this site. The three sites would equate to 60 dwellings, a 20% increase for the village.

At the invitation of the Chairman, Mr Edward Bidwell, representing the owners of the site, addressed the Committee and made the following points:

- Nothing had changed since the application came to Committee in October. Pre-application discussions had taken place with the Case Officer and the applicant had responded regarding the design and density of the proposal;
- He believed the scheme would provide a positive development for the village and it would improve the streetscape;

- There would be 8 affordable homes (40%);
- There would be a contribution of £69,999 towards education and a payment of £112k for CIL;
- It was a brownfield site, the majority of which was vacant and derelict;
- The site had been identified for development, with a guideline figure for 12 units;
- The scheme would provide a balanced and high quality street scene and have a positive effect on the area;
- It complied with policy in respect of parking;
- Swaffham Bulbeck was a sustainable village with good access and footpaths;
- The S106 had been agreed, and the scheme was viable and deliverable. It was not overdevelopment.

Councillor Ambrose Smith said that she had commended the scheme when it last came to Committee. She asked Mr Bidwell how many affordable dwellings would be provided if the number of units was reduced to 12. Mr Bidwell replied that it would be 5 units but this would have to be looked at, subject to viability.

At the invitation of the Chairman, Parish Councillor Sue Romero, Chairman of Swaffham Bulbeck Parish Council, addressed the Committee and made the following comments:

- The Parish Council objected to the proposal in its current form. It supported housing on the site but was opposed to there being 19 units at a density which exceeded that of the rest of the village;
- The proposal would be restricted by the access road to the business premises. It would create problems with visitor parking, bin storage, landscaping and the dwellings would have tiny gardens;
- The need for new housing was accepted and Swaffham Bulbeck was playing its part in helping to deliver it;
- There were three new sites in the Local Plan and weight could be attributed to this. A Community Land Trust had been formed and it was working with the largest of the sites in the hope of developing an organic design;
- 19 units was an increase of almost 60% above the indicative number and this was too many;
- The community knew and understood their village. The Officer's report stated that all material concerns had been considered, but it did not provide all the responses, so Committee could not make their decision;
- All the neighbours and the Parish Council believed the proposal to be overdevelopment in its current form.

At the invitation of the Chairman, Councillor Allen Alderson, Ward Member addressed the Committee and made the following points:

- The proposal did not consider the Listed Building. In a letter dated 12th September 2017, the Conservation Officer had stated that whilst the development of the site was to be welcomed, she considered the current proposal to be overdevelopment;
- The proposal did not fit the street scene;
- It would be overdevelopment, with no variety of design;
- The scheme would be too dense and would impact on the character of the area and concerns had been raised by the Trees Officer;
- The Strategic Planning Officer's comments were worrying because what they felt he was effectively saying was that if the applicant wanted more than the indicative 12 dwellings, let him have them. The whole village was relying on the Local Plan and was concerned the numbers on other sites could increase;
- He would expect to see this type of development in Soham or Ely, but not here. Swaffham Bulbeck was already accepting a large number of houses.

Councillor Alderson concluded by saying that the prime concern was the street scene. It was mainly bungalows and this development would ruin the village. He saw himself as a guardian of the village; to the south of Burwell, the nature of the District changed and there was a need to keep the picturesque villages for the future.

In response to a question from Councillor Ambrose Smith, Councillor Romero stated that there had been a 6% response rate to the consultation from the whole community.

Councillor Goldsack believed the scheme was a good design and that there was nothing wrong with it. Other areas in the District were taking more housing and so should Swaffham Bulbeck. Councillor Alderson said he was trying to get across the point that housing should be suitable for the areas in which they were to be located. What was suitable for somewhere like Soham was not necessarily appropriate for Swaffham Bulbeck.

Councillor Beckett asked if the amount of affordable housing would be reduced, but the Planning Manager reiterated that the 40% had already been agreed.

The Chairman commented that it should be more about the design and not the numbers of dwellings, and nothing had changed since the last Committee meeting.

Councillor Edwards declared that she would vote against the Officer's recommendation. She could not support approval as she believed it to be an inappropriate design, there was lack of parking, a blind corner, and it was overdevelopment of the site

Councillor Hunt remarked that a lot had changed since the application was last at Committee. Whilst the Proposed Submission Local Plan had been approved by Full Council, this Committee should still listen to the views of the local people. The Plan spoke of 12 dwellings and the Conservation

Officer believed the proposal to be overdevelopment. In the light of this, he could not agree with the recommendation for approval.

The Chairman reminded the Committee that 12 was only a notional figure, and he urged Members to exercise caution, as the 40% affordable housing could be at risk.

Councillor Beckett made the point that when the application last came before the Committee Members felt that it was a scheme they could approve. If they now refused it, it would make for a considerable loss.

Councillor Cox felt that the extra 7 dwellings would enable the affordable housing and he did not see a lot wrong with the scheme.

Councillor Goldsack said that all he saw on the site visit was a scruffy area that needed something doing with it. He welcomed the Parish Council's views and the support of the Ward Member, but he thought the scheme to be innovative and he was in favour of approval.

It was proposed by Councillor Cox and seconded by Councillor Goldsack 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 4 votes against.

It was resolved:

That the Planning Manager be given delegated authority to APPROVE planning application reference 17/01231/FUM subject to the completion of a S106 (affordable housing and potential education requirement) and the conditions as set out in the Officer's report (with any minor changes to the conditions delegated to the Planning Manager).

Councillor Schumann returned to the Chamber at 4.52pm.

123. 17/01348/FUL – ORWELL PIT FARM BUNGALOW, DOWNHAM ROAD, ELY, CB6 2SJ

At this point, Councillor Beckett disclosed that the agent for this application, Mr Andrew Fleet, had worked for him in the past. However, he wished it to be known that he had no interest in this application.

Oli Haydon, Planning Officer, presented a report (S187, previously circulated) which sought consent for the subdivision of an existing bungalow at Orwell Pit Farm, Downham Road, Ely, to provide mixed tenure accommodation

On a point of housekeeping, Members were asked to note a typographical error in the second bullet point of paragraph 7.2.4 . It should read '*The business also runs a **beef** suckler herd ...*'

The site was located at the entrance to Orwell Pit Farm, approximately 280 metres down the access track off Downham Road,

between Ely and Little Downham. The site was outside the development envelope for Ely.

It was noted that the application had been called in to Planning Committee by Councillor Mike Rouse as there were issues around supporting the agricultural community.

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

Members were reminded that the key issues for consideration in the determination of this application were:

- Principle of Development
- Essential Need
- Visual Impact
- Residential Amenity
- Highways

Policy HOU5 of the Local Plan 2015 and LP31 of the Proposed Submission Local Plan 2017 allowed for permanent dwellings in the countryside for full time workers as an exception to the normal policies of control providing certain criteria were met. Critically, it had to be demonstrated that the dwelling was essential to the needs of the business and there must also be no other accommodation within the site/holding, or nearby, which was currently suitable and available or could be made available.

In terms of 'essential need', the applicant had to be able to demonstrate that it was essential for the proper functioning of the business for one or more workers to actually live on the site. An agricultural appraisal had been submitted in support of the application and the justification for the subdivision of the bungalow was set out in paragraph 7.2.4 of the Officer's report.

The Planning Officer said the appraisal began with a view that the application should not be tested solely against Policy HOU5 as the application was not for a 'new permanent dwelling in the countryside to house a rural worker'. It was added that the agricultural occupancy condition was not relevant for the creation of this residential unit.

Following a comprehensive review of the evidence provided, it was considered that the existing 'housing stock' at Orwell Pit Farm was sufficient for the provision of accommodation for an agricultural worker if there was an essential need. No evidence had been provided to link the veterinary surgeon with the farm enterprise or to show why the tractor driver and foreman had an essential need to live on the site.

The proposal sought to subdivide the existing bungalow and include a new small porch to the front elevation. The bungalow would not have a materially different appearance and the visual impact was likely to be minimal.

It was noted that the Local Highways Authority had raised no concerns regarding the proposal. The two units would use a tandem parking arrangement and there was sufficient off-street parking to avoid obstructing the farm access track.

There was unlikely to be any concerns regarding residential amenity as sufficient amenity space had been provided for both dwellings within the curtilage of the property.

The Planning Officer advised Members that if they were minded to grant approval, an agricultural occupancy condition should be imposed to ensure that the residential amenity of future occupiers was not impacted upon by the adjacent farm activities.

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

- The Jackson family were longstanding farmers of mainly arable crops, but the business also ran a beef suckler herd of cattle;
- The bungalow was rented by a vet;
- Mr C Jackson was in his 60's and the duties were becoming too much for one person. An additional stockman was essential;
- This would be a cost effective dwelling because the bungalow lent itself to conversion to 2 dwellings and would allow the vet to remain;
- There would be no additional built form other than the porch, and the proposal would have no effect on the setting;
- No adverse comments had been received from statutory consultees;
- Refusal was being recommended on the basis that the applicant could not demonstrate an essential need. However, the fallback position that a small house of multiple permission did not need planning permission unless an Article 4 Direction was in place, had not been taken into account;
- Each occupant would have their own bathroom;
- The Inspector's decision in recent appeals considered fallback positions under the NPPF, with a presumption in favour of sustainable development;
- This proposal would support economic growth, cause no harm to the countryside and would cause only minimal harm in terms of traffic generation.

Councillor Ambrose Smith said she could understand the current occupant not wanting to share, but she wondered if it would be possible for agricultural occupancy to be tied to half the building. The Planning Officer confirmed that this would be possible, but Mr Fleet reiterated that the applicant did not want this condition. However, if it was a way forward, he would discuss it with his client.

Councillor Rouse noted that nobody seemed to object to the scheme, and it was all down to where workers could live. To him it seemed more sustainable and cost effective for workers to live on site, and he felt that the Officer's recommendation did not support the food/farming industry; he wished to see the application granted permission.

The Chairman reminded Members that without an agricultural occupancy condition, this would be a new building in the countryside where development outside of envelopes was strictly controlled.

Councillor Beckett responded by saying that each case had its own merits. This proposal would cause no demonstrable harm, it would bring another worker on site, there would be health & safety benefits, it would be more sustainable and apart from the front porch, there would be no visible changes. He was therefore minded to support approval of the scheme.

Councillor Hunt agreed with the comments regarding support for the farming industry but felt that there was a perfectly good way to get the accommodation for an additional worker – by the imposition of an agricultural occupancy restriction. As the applicant did not agree to this, the house was therefore just an additional dwelling in the open countryside. The new Local Plan was clear on this, and he supported the Officer's recommendation for refusal.

Councillor Edwards agreed with Councillor Rouse and recalled that in the last year, the Committee had approved the division of a house in Barton Square, Ely.

Councillor Goldsack said that in his professional life he had dealt with houses of multiple occupation (HMO) and he had found them to be a nightmare at times. His feeling was that if the dwelling was to be for agricultural use, then it should be conditioned.

Councillor Smith asked the Planning Manager how much of a risk there would be if the application was to be approved. She replied that there would be a new dwelling outside the development envelope. Housing policies were up to date and this application did not meet the exceptions criteria. If it was approved, it would send a message that it was acceptable to build new dwellings outside the development envelope, conflicting with the Local Plan.

The Chairman believed the feeling of the meeting showed a wish to support the business, but granting permission would weaken the Authority's position regarding the new Local Plan. Members could condition an agricultural tie, but the applicant did not want this.

Councillor Goldsack thought the application should have been put forward with an agricultural tie, and to grant approval without one would be a danger to the Local Plan.

In response to a question from the Chairman, the Planning Manager advised Members that if they refused the application, the applicant could re-submit it free of charge if it was within 12 months.

Councillor Hunt said the Committee should make a decision on what was in front of them today and he duly proposed that the Officer's recommendation for refusal be supported.

The Chairman advised Mr Fleet to go away and discuss the application with his client. He cautioned that if permission was refused and the applicant decided to re-submit, he should be mindful of providing evidence to support his case.

Councillor Smith seconded the motion for refusal.

When put to the vote, the motion was declared carried, there being 7 votes for, 2 votes against and 1 abstention.

It was resolved:

That planning application reference 17/01348/FUL be REFUSED for the reason given in the Officer's report.

124. 17/01477/FUL – 22A NEW RIVER BANK, LITTLEPORT, CB7 4TA

Oli Haydon, Planning Officer, presented a report (S188, previously circulated) which sought consent for a steel framed building to be used for agricultural purposes.

On a point of housekeeping, it was noted that a further letter of objection had been received and this was circulated to the Committee.

The site was located outside of the established development framework for Littleport on the site of an existing agricultural unit with existing hardstanding where scrub flora had grown. There was a neighbouring dwelling directly west of the proposed building and a dwelling associated with the site to the north-west. The site was within the defended Flood Zone 3.

It was noted that the application had been called in to Planning Committee by Councillor David Ambrose Smith for the following reason: *'Having viewed the well established farm site, with farm machinery and equipment already lining its boundary, I am concerned from the neighbour's point of view with the overbearing nature of such a large building.'*

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

The Committee was reminded that the key considerations in the determination of this application were:

- Principle of Development
- Visual Amenity
- Residential Amenity
- Flood Risk and Drainage

Concerns had been raised by a neighbouring occupier as to the principle of the building and whether there was an essential need to justify its construction. The applicant had advised that there was a requirement for a larger building as the current agricultural buildings on site did not provide sufficient height for trailers to tip out produce, which resulted in unsafe working practises. Also there was insufficient space to store pallets of potatoes which had been graded and were ready for sale.

Speaking of visual amenity, the Planning Officer stated that the proposed building would be sited on an existing section of brownfield land and there were a number of agricultural buildings in close proximity to the site (and on it). It would be larger in terms of footprint than that of the nearby dwellings and agricultural buildings, but this area was characterised as being agricultural in nature.

It was therefore considered that while there would be an element of urbanising of the landscape, in seeking to keep the built form close to existing development and its location in an area characterised by agricultural uses, the building was compliant with policy.

With regard to residential amenity, Members noted that the rear elevation of No.23 would face east onto the proposed building. It was acknowledged that there would be a potential loss of light early in the morning, but it was not considered to be significant enough to warrant refusal given the open southern aspect of No. 23.

The proposed building would be located 25 metres from the rear elevation of No.23 and 8 metres from the common boundary. While there would be an impact to the residents of No.23, it was considered that the separation distance was such that it would not be significantly overbearing to an extent that would warrant refusal of the application.

In connection with flood risk and drainage, it was noted that the site was located within Flood Zone 3A. This type of development was considered to be compatible with this Flood Zone and therefore a Sequential Test was not necessary. Surface water would be dealt with using soakaways and the Internal Drainage Board had removed their objection, subject to a detailed surface water drainage scheme being secured by condition.

At the invitation of the Chairman, Mr McLaughlin addressed the Committee in objection to the application and made the following comments:

- He was not adverse to there being a building but he wondered why it had to be so large and so close to his property;
- There was enough space on the site to position it so it would not be overbearing or create loss of light;
- The eaves of the proposal would exceed those of his house;
- The building would be huge and block out his views as well as the sunlight;
- He had lived there for 30 years and this would be a loss of his visual amenity.

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

- The rationale for the new shed was that it would be big enough to allow trailers to tip up inside it;
- It was a health and safety issue;
- Lorries did not come and go at set times, so there was an element of unpredictability;
- He expected to deal with 30 tonnes of potatoes per day and needed storage space for at least 60 tonnes.

Councillor Cox asked Mr Norman what would be the problem of rotating and running as contiguous. Mr Norman replied that he had always intended to build in that location. He did not get sunlight blocked from the existing sheds in his property but if it was located down at the caravan site as suggested, it would block out the caravan occupiers light.

Councillor Beckett enquired about the height of the existing buildings and was advised that they were 7.1 metres to the ridge; the new building would be 8 metres but the ground dropped away by 0.6 metres.

Councillor Edwards had concerns that the proposal would be overbearing, and she felt that there should be a restriction on operating hours. The Chairman said this could be conditioned, but Councillor Goldsack made the point that it could be difficult to enforce when it was never known at what time lorries would be arriving.

Councillor Beckett believed the proposed location to be the logical place for the shed, saying that it would not be as high as it would appear. In planning terms one did not have a right to a view and he thought the proposal should be approved as he did not believe it to be overbearing.

Councillor Ambrose Smith disagreed, saying the depth of the shed would fill a considerable space. She felt that to have that degree of overbearing would be totally unacceptable.

Councillor Smith asked Members to think about the noise impact because lorries could be arriving at any time; the Chairman agreed that there could be an environmental impact.

Councillor Hunt said he found it amazing that the shed could not be erected near the caravan site because it would upset the occupiers and yet it could be erected near the applicant's sister's house and block her light. He stressed that he was not thinking about the family connection, but he felt that the shed would be too overbearing. The Chairman responded by reminding him that the Officer did not think it was sufficiently so to warrant refusal of the application.

It was proposed by Councillor Beckett that the Officer's recommendation for approval be supported, but the motion was not seconded.

It was next proposed by Councillor Hunt and seconded by Councillor Edwards that the Officer's recommendation for approval be rejected.

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

It was resolved:

That planning application reference 17/01477/FUL be REFUSED for the following reasons:

- Members believe the building will be overbearing;
- It will cause a loss of light to the nearby dwelling; and
- It will cause a harmful noise impact.

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

125. 17/01630/OUT – LAND OPPOSITE ST MICHAEL'S CHURCH, THE HAMLET, CHETTISHAM

Toni Hylton, Planning Officer, presented a report (S189, previously circulated) which sought outline consent for a detached two storey dwelling, with integral single storey garage and associated access.

It was noted that access, layout and scale were to be considered as part of the application.

On a point of housekeeping, Members were asked to note the following:

- The Trees Officer had no objections to the proposal;
- The agent wanted it to be made clear that the Conservation Officer had not given any written comments, highways and pre-application advice;
- There had been pre-application discussions, following which the design had been reduced;
- This was a windfall site.

The site was a field at the end of The Hamlet, with some planting to the front, some of which was within the ownership of the Highways Authority. The Hamlet had an established pattern of development and many of the dwellings were of a cottage style with outbuildings. Development was predominantly on the northern side of The Hamlet with open fields on the southern side.

It was noted that the application had been called in to Planning Committee by Councillor Mike Rouse as he wished to discuss the issues around the Hamlet, sustainability and what was infill.

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

The Committee was reminded that the key considerations in the determination of this application were:

- Principle of Development;
- Character and appearance of the area;
- Impact on the Grade II Listed Building;
- Impact on the Highway.

The application site was outside the established development framework for Chettisham. The applicant would therefore have to demonstrate material planning considerations in line with the Framework and emerging Policy LP1 that justified a countryside location for the dwelling.

The proposal would be seen from the public right of way which was opposite the site and it was considered to be visually intrusive in this rural location, as a dwelling would detract from it and harm the rural character of the area. On this basis, it was considered that the proposal was contrary to Policy GROWTH2 of the 2015 Local Plan and LP3 of the Proposed Submission Local Plan.

The Planning Officer stated that the dwelling would be located opposite the Grade II Listed Building of St Michael's Church, which occupied a fairly prominent position at the end of The Hamlet. The Church was an important visual landmark and any development in close proximity would detract from its historic setting and value as a heritage asset.

The Planning Officer had met with the Conservation Officer to discuss the application. As it was considered that concerns regarding the harm that would be caused to the setting of the listed building had not been overcome, the Conservation Officer was involved in drafting the reasons for refusal.

The Committee noted that at the pre-application stage concerns were raised with regard to the setting of the Grade II Listed Building and how the design would need to be for a small single storey dwelling. The applicant was warned that once the Council's five year housing land supply was in place, it was unlikely that the application would be granted permission. The application was submitted on 11th September and the Council agreed the Proposed Submission Local Plan on 5th October 2017. Any decision was from the date of issue, not submission.

With regard to impact on the highway, it was noted that the Local Highways Authority had not objected to the proposal. However, concerns were raised about the positioning of some gates at the entrance to the main farm complex and whether they were in breach of highways land. It was suggested that the applicant should discuss this further with the County

Council's Definitive Mapping Team. Members were reminded that this was not a planning concern and would not prevent any planning approval being issued.

At the invitation of the Chairman, Mr Jeremy Love, applicant, addressed the Committee and made the following points:

- He lived in Church Farm and was a civil engineer;
- There was a shortage of housing in the area and prices were high, so it was difficult to get on the housing ladder;
- His property sat at the northern end of Chettisham and he wished to convert one corner of the field;
- The dwelling would be screened by mature trees and services were in place;
- The pre-application discussions were very positive and the developer had been told that the proposal would be considered sustainable;
- There had been no objections from any of the statutory consultees;
- Chettisham was a good place to live. It had superfast broadband and there were existing houses to both the north and south of the proposal;
- The location of the site was a natural continuation;
- The plans had been revised and the access moved, but the application was only outline at this stage;
- It had been submitted in August 2017 when the Local Authority could not demonstrate a 5 year supply of land for housing. The new Local Plan had already been challenged; and
- This was a windfall site, and the application should be judged on its merits.

Councillor Beckett queried the wording in paragraph 1.1.1 of the recommendation because at one point it spoke of '*less than substantial harm*' and later on it stated that the benefits of the scheme would not outweigh the harm caused to the setting of St Michael's Church. The Senior Planning Officer advised the Committee that '*less than substantial harm*' was a national policy definition.

Councillor Beckett then asked the Planning Manager for clarification about the application having been submitted before the Proposed Submission Local Plan was approved by Full Council. She replied that case law stated it was the point of determination, not submission that was relevant.

Councillor Goldsack commented that it was a pity Chettisham did not conform to the policy on infill, as the application site was a good plot and deliverable.

Councillor Hunt reminded Members that when the Ely North application was discussed, the residents of Chettisham had expressed

concerns about the integrity of their village. This proposal was outside the development envelope and the community needed to be protected.

Councillor Beckett thought the location to be an ideal site and said that it had been the integrity of the Planning Committee to make decisions when applications did not fit with the Local Plan.

The Planning Manager reiterated that all Members had been given the chance to vote on the emerging Local Plan at Full Council in October 2017, and the outcome of that vote supported the policies.

Councillor Smith concurred with Councillor Hunt and proposed that the Officer's recommendation for refusal be supported; Councillor Hunt seconded the motion.

When put to the vote, the motion was declared carried, there being 7 votes for and 2 abstentions.

It was resolved:

That planning application reference 17/01630/OUT be REFUSED for the reasons given in the Officer's report.

126. 17/01738/FUL – THE THREE PICKERELS, 19 BRIDGE ROAD, MEPAL

Oli Haydon, Planning Officer, presented a report (S190, previously circulated) which sought consent for the construction of several large extensions to the existing public house. The application sought consent to change the use of the building from public house to hotel.

A similar application was previously refused in July 2017, and amendments were sought between the previous scheme and the proposal currently being considered.

On a point of housekeeping, Members were asked to note that the Conservation Officer's comments were no longer relevant as they referred to three storeys, which was the previous application, but her overall conclusions were still valid.

The building was located along the riverside at the end of Bridge Road in Mepal. The site was outside the development envelope and was in close proximity to a Grade II listed building at No.16 Bridge Road. A public right of way ran along the southern side of the site.

It was noted that the application had been called in to Planning Committee by Councillor Mike Bradley as the Three Pickerels pub was seen as vital to the community, and in principle, the application was supported by the local community, Mepal Parish Council and other Councillors.

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

The Committee was reminded that the key considerations in the determination of this application were:

- Principle of Change of Use
- Visual Impact & Impact on Listed Building
- Residential Amenity
- Highway Safety

The applicant had stated that the premises could not meet the demand in the area for overnight accommodation and he was looking to expand to provide further bedrooms. A change of use was being sought from a pub/B&B to a hotel, as the overnight accommodation was likely to be the main feature of the premises with the restaurant and bar ancillary to this provision. The Planning Officer said the principle of the change of use was considered to be acceptable, as it was not considered justifiable to request an existing and viable B&B to sequentially identify other sites for potential expansion to hotel status in Mepal.

In terms of visual amenity, it was noted that the Local Planning Authority supported extensions to businesses if, visually, the proposal was in scale with the location and did not harm the character and appearance of the existing buildings.

The proposed rear extensions had been amended to be set down from the parent ridge with an element of subservience and although they would be visible from the public footpath, they would be respectful of the scale of the Three Pickerels.

The roof element would involve a distinct change in the front and side elevations of the pub. The extension would occupy the void between the unique double-gabled front elevation and would dominate the overall appearance. The cumulative impact of this and the proposed rear/side extensions was considered to be unacceptable.

Turning next to residential amenity, the Planning Officer said that there were two residential properties in close proximity to the application site. It was considered that the proposed changes to the public house and any increase in trade as a result of the expansion were not likely to be significant enough to be deemed as harmful.

The proposed extensions were unlikely to have any wider impact on the highways network and parking provision on the site was capable of accommodating four additional bedrooms and the vehicles associated with this.

With the site being in close proximity to a Grade II listed building, the development should take care to preserve or enhance the wider setting of that building. The Conservation Officer had objected to the original application on the basis that the cumulative impact of the scale combined with a design that completely disregarded the host property was considered to be wholly inappropriate; she reiterated these comments in respect of this proposal. She was maintaining her objection on the grounds of the visual impact and irreversible harm that would be caused to the existing high quality building.

At the invitation of the Chairman, Mr Terry Stoodley, agent, (accompanied by the manager of the Three Pickerels) addressed the Committee and made the following comments:

- He was the architect and agent;
- The premises were acquired in 2004, he was engaged in 2007 and work was carried out in 2008;
- The business had seen an increased turnover and a modest profit;
- Following the refusal of the application in July 2017, he had a pre-application meeting with Development Control at which the entire concept of the application was discussed;
- He was advised that if the balconies were to be changed to dormer windows and the extension to the rear reduced from three storeys to two, it would benefit the scheme and he therefore expected the application to be recommended for approval;
- The loft conversion was now considered unacceptable, and he disagreed with this;
- The Three Pickerels was not a listed building or on any other register, and the applicant was at pains to preserve it;
- The west elevation was the most effective and would have zinc clad windows. The west gable would be retained, almost in its entirety;
- The east gable would have one new velux window;
- The applicant wished to expand the business and he had the support of the local community;
- He was content that the Officers were happy with the change of use of the building, but they had gone against their own discussion/advice after refusal in relation to the design.

The Chairman said that everyone seemed to want the building, but beauty was very much in the eye of the beholder.

Councillor Goldsack concurred, adding that he thought the whole of the Officer's recommendation was based on a personal opinion. He was in favour of supporting this local business and believed the application should be approved.

In proposing that the Officer's recommendation for refusal be rejected, Councillor Hunt disagreed with the criticism of the architecture. He added that there was no other pub in the village and the local people were supportive of the proposal.

The motion for approval was seconded by Councillor Austen and when put to the vote,

It was resolved unanimously:

That planning application 17/01738/FUL be APPROVED for the following reasons:

- Members believe that the proposal respects and is sympathetic to the character and appearance of the existing public house;
- It is harmonious in design; and
- It will give cohesion to the existing design.

127. 17/01799/FUL – TUNBRIDGE HALL, 60 TUNBRIDGE LANE, BOTTISHAM, CB25 9DU

Oli Haydon, Planning Officer, presented a report (S191, previously circulated) which sought planning permission for a single storey rear extension at the dwelling known as Tunbridge Hall.

On a point of housekeeping, Members were asked to note that paragraph 7.1.7 should state '**rear extension**' and not 'pool house'.

The application site was located within the established development framework for Bottisham and within the designated Green Belt. The site was stepped back from the highway via a private access road and hosted a large detached dwelling. Its associated grounds included a swimming pool and tennis court.

It was noted that the application had been brought to Planning Committee as the applicant was a District Councillor.

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

The Committee was reminded that the key considerations in the determination of this application were:

- Visual Amenity,
- Residential Amenity,
- Impact on the Green Belt

With regard to visual impact, the proposed rear extension would be of a scale that was subservient to Tunbridge Hall in terms of footprint and height. It was considered to be proportionate to the size of the dwelling and its spacious grounds.

It was noted that the site already benefitted from mature landscaping which offered adequate screening when viewed from the Green Belt to the east. As the extension was single storey it was unlikely to be visible within the public realm other than partially from the employment uses to the north.

The extension would not impact on the openness of the Green Belt.

In connection with residential amenity, the Planning Officer stated that the proposed extension would be built alongside the northern boundary of the site. There would be no impact on residential amenity in terms of overbearing or loss of light and it was not considered that there would be a loss of privacy.

The Trees Officer had confirmed that no trees would be directly impacted as a result of the proposed extension.

There being no comments or questions from Members, it was proposed by Councillor Goldsack and seconded by Councillor Beckett that the Officer's recommendation for approval be supported.

When put to the vote,

It was resolved unanimously:

That planning application 17/01558/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

128. PLANNING PERFORMANCE REPORT – OCTOBER 2017.

The Planning Manager presented a report (S192, previously circulated) which summarised the planning performance figures for October 2017.

The Department had received a total of 187 applications during October which represented a 15% decrease on October 2016 (225) and a 15.8% decrease from September 2017.

There had been 7 appeals received and 4 appeals decided.

Although the number of applications had dropped, work pressures remained high within the department due to the recent departure of two Planning Officers. The Planning Manager would be interviewing for their replacements in the coming week.

Members were asked to note that an extra item had been added to the report. It showed the Planning Authority's performance against Designation rules and that East Cambridgeshire was not at any risk of being designated.

In comparison to other authorities nationally, the District was leading the way for the Cambridgeshire District authorities by 14 spaces on the league table for Major decisions issued within agreed timescales.

There was an area for improvement highlighted with the non-majors as East Cambridgeshire was currently 2nd, listed 38 spaces from the current leader from the Cambridgeshire District authorities. The Planning Manager said she would request that these figures be checked.

It was resolved:

That the Planning Performance report for October 2017 be noted.

The meeting closed at 6.25pm.

Chairman:

Date: 3rd January 2018