



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee  
held in St Mary's Church Hall, St Mary's Street,  
Ely on Wednesday, 7<sup>th</sup> June 2017 at 2.00pm.

### **P R E S E N T**

Councillor Joshua Schumann (Chairman)  
Councillor Sue Austen  
Councillor Derrick Beckett  
Councillor Paul Cox  
Councillor Neil Hitchin (substitute for Councillor Christine  
Ambrose Smith)  
Councillor Mike Rouse  
Councillor Stuart Smith  
Councillor Lisa Stubbs

### **OFFICERS**

Tim Driver – Planning Solicitor  
Richard Fitzjohn – Planning Officer  
Barbara Greengrass – Senior Planning Officer  
Neil Horsewell – Trees Officer  
Toni Hylton – Planning Officer  
Catherine Looper – Planning Officer  
Janis Murfet – Democratic Services Officer  
Andrew Phillips – Senior Planning Officer  
Gareth Pritchard – Planning Officer  
Rebecca Saunt – Planning Manager

### **ALSO IN ATTENDANCE**

Councillor Julia Huffer  
Councillor Mark Hugo  
Approximately 30 members of the public attended the meeting.

### **3. APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Christine Ambrose Smith, David Chaplin, Lavinia Edwards, and Tom Hunt.

It was noted that Councillor Neil Hitchin would substitute for Councillor Ambrose Smith for the duration of the meeting.

### **4. DECLARATIONS OF INTEREST**

Councillor Mike Rouse declared a personal interest in Agenda Item No. 10 (17/00314/FUL, 26 Lynton Close, Ely, CB6 1DJ), living almost

opposite the applicants. He said he would take no part in the determination of the application.

Councillor Derrick Beckett declared a pecuniary interest in Agenda Item No. 8 (17/00222/FUL, Land Adjacent to 2 Houghtons Lane, Isleham). He said he would leave the room before the debate and voting on the application took place.

Councillor Lisa Stubbs declared an interest in Agenda Item No. 14 (17/00732/FUL, Land Parcel South East of Berrycroft, Redfen Road, Little Thetford), being a member of Little Thetford Parish Council. She said she had not taken part in any discussions and would come to the application with an open mind.

## 5. **MINUTES**

It was resolved:

That the Minutes of the Planning Committee meetings held on 3<sup>rd</sup> May and 25<sup>th</sup> May 2017 be confirmed as a correct record and signed by the Chairman.

## 6. **CHAIRMAN'S ANNOUNCEMENTS**

- The East Cambs Access Group would be holding an event on 5<sup>th</sup> July 2017, regarding street clutter and its impact on Ely. There would be two sessions, at 3.00pm and 6.00pm, and anyone wishing to attend should contact Alison Arnold. Details of the event were online ;
- Agenda Item No. 13 (17/00642/FUL, 6 Hop Row, Haddenham, CB6 3SR) would be taken immediately after Agenda Item No. 5 (Confirmation of TPO E/05/17, 6 Hop Row, Haddenham, CB6 3SR), as both items were linked;
- The Chairman offered his thanks to the Members of the Planning Committee for once again approving and voting him in as Chairman. He also welcomed the new Members of the Committee and in particular Councillor Stuart Smith, who was attending his first Planning meeting;
- For the benefit of the public and the large numbers of those who had registered to speak at the meeting, the Chairman explained the procedure and how the 'traffic lights' system worked.

*Councillor Hitchin joined the meeting at 2.07pm*

## 7. **CONFIRMATION OF TREE PRESERVATION ORDER E/05/17 – 6 HOP ROW, HADDENHAM, CB6 3SR**

Neil Horsewell, Trees Officer, presented a report (S12, previously circulated) from which Members were asked to confirm a Tree Preservation Order (TPO) for one Silver Birch tree at 6 Hop Row, Haddenham.

Illustrations were displayed at the meeting which included a map indicating the location of the tree, an aerial image outlining the location, and a number of photographs of the tree taken from various viewpoints.

It was noted that the Order was made because the Council received a planning application to build a new side extension to the house at 6 Hop Row, Haddenham, which included the proposal to remove one Silver Birch tree on the western boundary.

The Trees Officer placed a TPO on the Silver Birch tree because of the significance of its loss from the street scene within the Haddenham Conservation Area, in terms of visual amenity if the tree was removed.

Members were reminded that the key points for consideration were as follows:

- Amenity - The TPO was served in recognition of the visual amenity value of the Silver Birch tree in the local landscape.
- Planning considerations – The TPO provided additional support for retaining the Silver Birch tree within approved developments.
- Planning considerations - Planning consent superseded TPO status.
- General - The TPO needed to be confirmed for the protection of the Silver Birch tree to remain in place.
- General - If the Planning Committee Members decided not to confirm this TPO, the TPO would lapse.
- General - A future tree work application in the Conservation Area could not be refused by the Council.

Objections to the serving of the TPO received during the consultation period were set out in Appendix 1, and the Trees Officer's responses were contained in paragraph 4.8 of his report.

The Trees Officer said he was of the opinion that this Silver Birch tree was visually important. There might be an opportunity for an alternative layout to build a new extension without the need to remove the tree on the western boundary of 6 Hop Row. The tree could therefore be retained within the local landscape, where it made a positive contribution to the character of the area. The TPO would not prevent consideration of the site for development in any future planning applications or prevent the management of the tree in the future, if and when tree work was required.

At the invitation of the Chairman, Mrs Amy Amory and Mr Chris Ray addressed the Committee and made the following points:

Mrs Amory read out the following prepared statement:

*'We purchased this house from my great aunt in November, it was a brilliant opportunity for us as a family and as we would not be able to afford a 4 bedroom property within the village without this. It is also an ideal location for us as I am epileptic and cannot drive, it will be much closer for school, preschool and much more within the village.*

*During the planning process we had been advised to obtain an AIA report, we had this carried out which stated it has only approximately 10 - 20 years life expectancy and in recent high winds branches were damaged. We have discussed our extension/removal of the tree with surrounding neighbours who feel removal of the tree will also benefit them in many ways and on discussion with members of the general public they feel removal of the tree would not have a negative effect on them.*

*The extension is very important to us as it will provide a study, 4th family bedroom and a much needed garage as my husband is self employed and needs security for his van and tools.*

*We need to have the TPO removed and tree taken down to allow us to build and develop our family home. We plan to do some much needed modernisation and updating to our house and replant 2 new trees at the front of the property in full public view.*

*We feel with these changes we can make the overall appearance of our home and garden better for us and the public. With this extension it allows us to develop our dream family home for many years to come.'*

Mr Ray read from the following prepared statement:

*'I have made comprehensive comments both objecting to the TPO and supporting the planning application for our neighbor's plot. I am not going to repeat all that detail although I am happy to answer any questions the Committee may have on them*

*I just have a couple of points I would like to emphasise regarding risks of the trees on the plot*

*The Silver Birch is a clearly a nuisance rather than an Amenity and needs to be removed to allow the development to go ahead, no one in the community disputes that. However, the other remaining trees on the site have grown out of control and also represent a significant risk especially the large Conifer at the front.*

*The development and the sympathetic replanting removes those risks and much improves the street scene a win for all, and, without the development it is unlikely the other tree work will be done*

*About 6/7 years ago the Silver Birch was pruned back hard on our side at the same time as a Copper Beech of similar proportions was removed (all with the Councils' permission). Both trees were overhanging our roof and at risk of damaging it.*

*The effect on the Silver Birch which is close to our property was that all the new growth has developed on the opposite side and the trunk leans*

*considerably away from our property. It has grown long thin'ish branches up towards the light.*

*In the past the tree has been sheltered by our property from the strong prevailing winds we experience in Haddenham. However, both the Birch (and the front Conifer) are now well above our house and no longer fully sheltered. To see the long thin branches of the Silver Birch swaying in the wind is quite frightening. I feel it is only a matter of time before branches are lost from the Silver Birch. You can feel the ground move under the front Conifer as it is only a matter of time before it is uprooted (it is leaning and there are no roots our side due to the proximity of our garage). Both events would cause significant disruption and damage (possibly to the A1123).*

*The proposed development removes those risks as well as providing significant improvements to the street scene the Community want. A win/win scenario*

*The TPO cannot be allowed to compromise this necessary development and should not be confirmed.'*

At the invitation of the Chairman, Councillor Mark Hugo, a Ward Member for Haddenham, addressed the Committee and read from the following prepared statement:

*'I thank the Chairman for sensibly deciding to take the TPO and planning application together which will speed up proceedings and mean that Mr & Mrs Amory can get back to their young family and work.*

*The property where this tree is located has recently been inherited by Johnny and Amy, who are a young couple with long established family ties to Haddenham. They have a young family of 3 children and have an opportunity to build a family home in their village, something they would have struggled to do without this inheritance. The house is currently empty and has been neglected over the years and is in need of a complete makeover including an extension to accommodate the present and future needs of their family.*

*This application was previously submitted earlier this year and during that application a TPO was placed on a silver birch in the grounds which now prevents the necessary extension. At the planning officer's suggestion Mr & Mrs Amory withdrew the plan back then and obtained a professional Arboricultural/Tree Impact Assessment (AIA) which is attached to the current application. Liam McLeish who produced that report is here today to answer any technical arborical questions.*

*The main issues that arise from the AIA report are:*

- the birch is mature and only has a remaining life span of 10-20 years*
- it has recently suffered a spilt out branch in the strong winds*
- it must be removed for any reasonable extension to proceed*
- its removal will have minimal impact on the street scene*

*The AIA recommends a program of action for the site including replacement of the said birch with 2 of the same species at the front of the property which*

*will enhance the street scene. Mr & Mrs Amory have agreed to follow all recommendations in the report.*

*As you can see this TPO order is the only reason why the officer has had to recommend refusal!*

*Haddenham Parish Council have supported this planning application and objected to the TPO in writing. In addition my view is supported by my District Councillor colleague Steve Cheetham who has sent you all an email yesterday. Many other objections to the TPO have come in from nearby residents and it appears this tree is far from popular and indeed a quite a nuisance.*

*I have in the past defended TPO applications in this very forum and I do appreciate the importance of trees in residential areas. However it should not be at the expense of a young local family wishing to create their home from a neglected and currently empty house. I urge you to overturn this TPO and permit the planning application to proceed. Thank you.'*

Councillor Smith noted that there had been no support for the TPO from residents of Hop Row, and he agreed that as the tree was well set back, its removal would not be a loss.

Councillor Rouse said he was impressed by all the support for this family home. He was unconvinced by the arguments for confirming the TPO and questioned whether the Silver Birch tree made a valuable contribution to the visual amenity of the area. He believed the need for a family home outweighed this and he would therefore not support confirmation of the Order.

Councillor Beckett commended the Trees Officer for the work that had gone into his report, but he said that he agreed with Councillor Rouse's comments. Councillor Cox concurred, and the Chairman added that he too thought the removal of the tree would not be a significant loss or have a detrimental impact.

It was proposed by Councillor Smith and seconded by Councillor Rouse that TPO E/05/17 should not be confirmed. When put to the vote,

It was resolved unanimously:

That Tree Preservation Order E/05/17 should be NOT confirmed.

**8. 17/00642/FUL – 6 HOP ROW, HADDENHAM, CB6 3SR**

Richard Fitzjohn, Planning Officer, presented a report (S20, previously circulated) which sought consent for the addition of a two storey side extension and front porch to the existing dwelling. The proposal included rendering of the external surfaces of the existing dwelling, cladding of existing outbuildings and the provision of a new driveway surface. The proposal also included the removal of trees within the site, including a Silver Birch tree which, at the time of writing the report, had been protected by an unconfirmed Tree Preservation Order.

It was noted that the application had been called in to Planning Committee by Councillor Mark Hugo. He believed that the importance of trees in residential areas should not be at the expense of a young local family wishing to create their home from a neglected and currently empty house. Councillor Hugo had also requested that the planning application be considered at the same Planning Committee meeting as the TPO application relating to the site.

The application site was located on the south side of Hop Row, which was residential in nature and within the established development framework and Conservation Area for Haddenham.

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

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

- Loss of the Silver Birch tree (subject of an unconfirmed TPO prior to the Planning Committee meeting);
- Impact upon the character and appearance of the Conservation Area;
- Impact upon residential amenity.

With Members having resolved that TPO E/05/17 should not be confirmed, the reason for refusal of the application had now been removed.

It was noted that the proposed extension would be subservient to the dwelling and not harm the character and appearance of the Conservation Area. Cladding the outbuilding to the rear of the dwelling would improve its appearance and resurfacing of the driveway would contribute positively to the character and appearance of the Conservation Area.

In terms of residential amenity, the proposed extension would not, by virtue of its distance, result in a significant loss of light or overbearing impact upon No.4 Hop Row. Furthermore, it would be largely screened from the other neighbouring dwelling of No.6a Hop Row by the existing dwelling and would not have any significant impact upon this dwelling. In addition, the proposed extension did not include any west facing windows that would overlook the neighbouring dwellings.

The Planning Officer stated that the application was now recommended for approval.

In response to a question from the Chairman, Mrs Amory, Mr Ray and Councillor Hugo each confirmed that they no longer wished to exercise their right to address the Committee.

It was duly proposed by Councillor Beckett and seconded by Councillor Rouse that the Officer's revised recommendation for approval be supported. When put to the vote,

It was resolved unanimously:

That planning application reference 17/00642/FUL be APPROVED by virtue of Tree Preservation Order E/05/17 not being confirmed; and

It was further resolved:

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

**9. 16/01805/FUL – ADJACENT TO 9 MAIN STREET, WARDY HILL, ELY, CB6 2DF**

Catherine Looper, Planning Officer, presented a report (S13, previously circulated) which sought consent for the construction of a detached two storey dwelling, with an integrated garage and lean-to front porch, adjacent to 9 Main Street.

The proposed dwelling would be located on land within the curtilage of 9 Main Street and would be set back from the public highway by approximately 8.4 metres.

On a point of housekeeping, the Planning Officer stated that on 6<sup>th</sup> June 2017 she had received an email from Coveney and Wardy Hill Parish Council objecting to the proposal on the grounds of its impact on the visual amenity of the street scene. The email had been forwarded to the Members of the Planning Committee that same day.

It was noted that the application had been called in to Planning Committee by Councillor Mike Bradley on the basis that the issues should be heard in public and the Committee should take the decision.

The site was located within the centre of Wardy Hill. The village was small and rural in character and the pattern of built form was linear to Main Street. Dwellings within the street scene were generally set back from the public highway by a short distance, with parking to the side and rear.

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

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

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



Speaking of the principle of development, the Planning Officer said the site was located within the defined settlement boundary of Wardy Hill and therefore complied with Policy GROWTH 2 of the Local Plan. The proposal would make a small but positive contribution to the local housing supply and would be beneficial to the local economy in the short term due to the construction stage.

In terms of residential amenity the proposed dwelling would have a larger footprint and extend further into the site than the adjacent semi-detached dwellings, and it was considered to represent an unacceptable level of built form along the east and west boundaries of the site. It would be significantly overbearing on the neighbouring occupiers to the east and west, due to the close distance to the boundaries and the two storey scale. Loss of light was likely due to the westerly aspect of No. 7; this was contrary to Policy ENV2 of the Local Plan.

The windows were mostly to the front and rear of the proposed dwelling, and the windows to the rear were considered to create a significant level of overlooking due to the close proximity of the boundaries to the site. It was also anticipated that future occupiers of the proposed dwelling would experience a significant level of overlooking due to the close proximity of 9 Main Street, and the east facing dwelling of 7a.

In terms of visual amenity, the proposed materials were considered to be suitable but Officers felt that the proposal represented a significantly cramped and contrived appearance within the street scene. It was detrimental to the character and appearance of the street scene and the inclusion of the integrated garage was contrary to the pattern of parking arrangements and was not in keeping with the design of the semi-detached dwellings.

Members noted that the Highways Authority had been consulted as part of the application and raised no objection to the proposal.

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

- The proposal was within the development boundary and there was a presumption that this was infill development;
- The design had evolved through discussion with the Case Officer;
- He (Mr Hendry) had not been privy to the amended stance of the Parish Council;
- This would be efficient use of the land with the density being 29 dwellings per hectare and the rear garden over 200 square metres;
- The property would not extend as much as 7a;
- The height had been reduced and a single storey rear element incorporated;

- The Officer's report was incorrect in that there had been a formal amendment to the two windows in the side elevation and there was now only 1 window;
- This proposal was not dissimilar to other nearby properties or enough to warrant refusal;
- The proposal would not have a negative impact on the street scene, but rather note the transition;
- It would not be out of character with Wardy Hill, it would not be cramped or contrived and any loss of amenity would be minimised and internal garages are found within the streetscene;
- There would be no significant impact on the neighbouring properties.

Councillor Hitchin noted that the term 'cramped and contrived' came up in debate many times and he asked if there was a precise definition, as it seemed to him that there was an element of subjectivity. The Senior Planning Officer replied that it was a matter of planning judgement. Officers considered the proposal to be cramped because the appearance of the street was very uniform and the dwelling would change the character of the street scene.

Councillor Beckett agreed that the proposal was cramped and contrived and that it would alter the street scene as it was just filling a gap. He was therefore minded to support the Officer's recommendation for refusal.

Councillor Rouse felt that everything hinged on the issue of 'cramped and contrived'. He thought the dwelling would look 'squeezed in' and spoil the amenity of No.9. There was insufficient space and this would impact on the other nearby properties. He did not think the proposal was the right design or solution for the space, and said he too would support the recommendation for refusal.

It was proposed by Councillor Beckett and seconded by Councillor Rouse that the Officer's recommendation for refusal be supported. When put to the vote, the motion was declared carried, there being 7 votes for and 1 abstention. Whereupon,

It was resolved:

That planning application reference 16/01805/FUL be REFUSED for the reasons given in the Officer's report.

**10. 17/00146/FUL – THE CHEQUERS, 58-62 CARTER STREET, FORDHAM, CB7 5JT**

Gareth Pritchard, Planning Officer, presented a report (S14, previously circulated) which sought planning permission for a proposed convenience store within land currently used as the car park for The Chequers Public House, and associated works.

On a point of housekeeping, the Planning Officer stated that since the publication of the agenda, he had received more comments from neighbours and in the last 24 hours there had been further comments received from the community. Nothing new had been raised, but 14 of the comments were in objection and 6 supported the proposal.

It was noted that the application had been called in to Planning Committee by Councillor Julia Huffer as:

*“there is much concern locally about this and I personally think that it will be a dangerous development as The Chequers bend is a problem area for traffic, also the car park would be shut for 9 months meaning traffic will be even worse. The proposed longer opening hours will mean more deliveries and more traffic. This proposal will sound the death knell for The Chequers as there would be insufficient parking for both businesses. It would be an eye sore right in the heart of the village. There is support for a larger store but not in this location.”*

The site was located within the established development framework for Fordham. The Chequers itself was a Grade II listed building which fronted Carter Street and had a number of more modern extensions to it. Amended plans and additional details had been submitted over the course of the application and included the provision of 23 parking spaces (one being disabled) and access via the existing access point.

A number of illustrations were displayed at the meeting, including a map of the location site, an aerial image with an outline of the site imposed on it, an aerial image with an indicative layout imposed on it, elevations of the proposal, and photographs relating to highway safety.

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

- Principle of development;
- Residential Amenity;
- Visual amenity and impact on the historic environment;
- Highway safety and parking provision; and
- Other matters.

It was noted that the application site was considered to be in a sustainable location and the proposal would see the number of employment opportunities rise from 14 to 20 in line with Local Plan Policy GROWTH 1. The applicant had submitted a Retail Assessment which showed that the net retail floor space was below the 280 square metres threshold in Policy COM1. However, the site was considered to have passed the sequential test as there were no other suitable sites centrally. The need for a new store in

the village was recognised as Fordham continued to grow with recently approved planning applications.

With regard to residential amenity, Officers did not consider that the location of the proposal would be detrimental in terms of causing a significant loss of light or privacy, as there were limited residential properties in the vicinity. Consideration had also been given to the potential noise impact but Environmental Health had raised no concerns, subject to the imposition of appropriate conditions.

Speaking next of visual amenity and impact on the historic environment, the Planning Officer stated that the proposed new store would front the highway and match the surrounding built form. The proposal had been designed in a sensitive and traditional style and would not compete with the adjacent listed building. The public benefit of the store would outweigh the less than substantial harm to the setting of the listed building.

A number of concerns had been raised regarding the proposed access to the site and the potential dangers it would cause to other road users and pedestrians as a result of the traffic generated and from delivery vehicles. The Local Highways Authority had been consulted as part of the application and had raised no objections. They considered that the amendments to the footpath and existing access point were improvements on the existing conditions.

Whilst the application failed to meet the upper limits of parking provision, as set out in Policy COM8, the applicant was considered to have demonstrated how the two businesses could operate in tandem through their submission of a parking statement/assessment.

Members noted that hard and soft landscaping, and lighting could all be dealt with by means of conditions.

At the invitation of the Chairman, Mr David Prichard, agent, and Mr Paul Hammond, supporter, each addressed the Committee and made the following points:

Mr Hammond:

- He had been a resident of Fordham for 4 years;
- The village did not have many facilities and the Co op was the only lifeline for many people, especially the elderly;
- This new development was needed as many shops had closed down;
- The new Co-op would be an improvement because delivery vehicles would be able to drive in head first instead of backing in and stopping the flow of traffic.

Mr Prichard:

- The new Co-op would be in the heart of the village. It would be larger and carry a wider range of goods;

- There had been extensive pre-application discussions;
- The applicants had demonstrated that there was no other site available, so it complied with the 'town centres first' requirement;
- The new store would create another 8 – 10 jobs;
- The design would complement the surroundings and was appropriate in heritage terms;
- There were no issues with residential amenity and traffic and highways had been fully discussed;
- Surveys had demonstrated that there would be more than sufficient parking for the new shop and the existing restaurant;
- The size of delivery vehicles would be limited by condition and the Local Highways Authority believed that the new access would improve the existing situation;
- There had been a lot of hard work to ensure that this application was watertight, including meetings with the Ward and Parish Councillors;
- There were a number of objectors, but the application also had many supporters;
- The concerns that had been raised were genuinely felt, but he believed them to be unfounded.

Councillor Beckett queried the necessity for the widening of the existing footpath and Mr Prichard advised that the alignment would mean that the footpath would improve the existing access and followed the recommendations from County Highways.

At the invitation of the Chairman, Parish Councillor Malcolm Roper, Fordham Parish Council, addressed the Committee and read from the following prepared statement:

*'Mr Chairman and Members of the Planning Committee, I would firstly say that the Parish Council unanimously agree that this location for a new store on highways grounds is totally unsuitable and unsafe. The Parish Council are not opposed to the Co-op providing a larger store in the village but not at this location.*

*We ask you to take into account that your site visit this morning was at one of the quietest periods of the day.*

*We would only comment on the grounds of parking and highways issues. The Parish Council have for over 10 years been trying to improve safety at this location which is confirmed in the Highway Authority comments. The proposed site is on the inside of a blind right hand bend with minimum visibility to the right. Highways accept this feature saying 'I note the proposed new building actually limits visibility to the west' but does not offer any solution.*

*The visibility to the left is impaired by constantly parked vehicles often by vans and lorries. So when trying to exit the site it is extremely dangerous. The Transport Planners have stated that 'there will be no greater increase in traffic on the highway network as a result of this development'. We agree but we ask you to take into account the enormous amount of new housing development which is likely to happen in the very near future. 79 dwellings already approved and a further 100 dwellings which is currently under consideration on the Mildenhall Road. In addition there is the garden centre proposed development of 150 dwellings which is also under consideration. The only route to the new store will be on Carter Street in both directions. We accept that this is going to happen anyway but the present store is on the outside of the right hand bend with reasonable visibility in both directions. It is also accepted by Highways that a new user for the old store could be found for the existing Co-op building this would further increase the dangers if we have two stores opposite each other on this notorious bend.*

*We also refer you to the penultimate paragraph where Highways have great concerns with the delivery vehicles. It is the Parish Council's view whatever size vehicle is used they will still reverse into the site blocking the road while manoeuvring.*

*In the transport statement there are 23 car parking spaces and it accepts that this is below parking standards. We as Parish Councillors know at weekend evenings the Chequers car park is overflowing and does not include co-op shoppers. It also may not be aware that the Chequers operates a take away meal service and the calculations may not include that element. We can assure the Committee that certainly on Saturday evenings there are times when there is no room for parking whatsoever and that is surely only for the customers of the Chequers and does not include any Co-op parking. Please take our word for it, we live in the village.*

*We have noted the comment regarding the pedestrian crossing but please take note that most of the pedestrians and those on mobility scooters will be approaching from the opposite side of the road to this site. Where the store is situated now, that is not a problem. Just simply widening the pavement as shown is not a sufficient safety measure.*

*It is essential therefore that measures be undertaken to ensure the complete safety of those crossing the road to access the store which must include some method of traffic control. If the applicants could work with Highways and produce a good road safety scheme which was acceptable to the Parish Council then we would support the application.*

*But as it is now we ask the Committee to refuse or postpone the decision until such time as the applicants can demonstrate a satisfactory scheme to ensure the safety of all those who will use the store.*

*The Highways Development Management comments really does endorse the Parish Council's concerns about this proposal and could as easily resulted in an objection by it. The only difference is the comments regarding accidents. What is not recorded are the near misses which Members of the Parish Council, who all live in the village and use this store, hear about all the time. Mainly involving HCVs which mount the pavements*

*or move close to cyclists resulting in them having to dismount to avoid a collision.*

*One death is one too many.'*

In response to a question from Councillor Stubbs regarding the possibility of extending the double yellow lines, Parish Councillor Roper said this would have to be consulted on and approved by the neighbours, and besides which, it would be very difficult to enforce.

Councillor Beckett enquired about the views of residents regarding the narrowing of the road on the corner. Councillor Roper replied that there was much concern because having HCVs trying to pass each other and vehicles parked outside the present Co-op would exacerbate the problem.

At the invitation of the Chairman, Councillor Julia Huffer, a Ward Member for Fordham Villages, addressed the Committee and made the following remarks:

- She asked the Committee to refuse the application;
- She had been a resident of the village for 18 years and the bend was well known. Sometimes it was a case of 'close your eyes and go for it';
- She fully supported a new, larger Co-op, but not in this location;
- There were concerns regarding the safety of residents and also the prospects for The Chequers, without parking The Chequers would die;
- The traffic survey bore no resemblance to the actual situation, and if the application was approved, The Chequers would die;
- Horror that the pavement would be widened;
- She (Councillor Huffer) had carried out an informal traffic survey and during one period being monitored, 375 cars passed her;
- Having visited the proposed site during the day, she thought it would not be safe for an elderly person or child to cross the road at this location;
- The 80% support which the applicant referred to was 80% of 56 surveys returned;
- She urged Members to refuse the application.

Councillor Stubbs asked if she was correct in assuming that, although the Chequers car park was not public, it was used as such. Councillor Huffer replied that it was private land but there was an unspoken agreement about the public being able to park there.

Councillor Cox commented that it would help if the applicant was to clear the existing site and provide parking on there. Councillor Huffer believed that the site would be redeveloped for housing.

Councillor Hitchin thought that the aim of the proposal was to help the public by bringing the store across the road; a larger store would increase footfall. Councillor Huffer responded by saying that her own thoughts were that this proposal would sound the death knell for The Chequers because there would be nowhere else to park; the application had not been properly thought out.

Councillor Rouse commended the Case Officer for producing a report that was both very fair and balanced. He thought that with the level of growth that was taking place in Fordham, there was a need for a shop. He had heard about the dangerous bend in the road and had seen it for himself and he had concerns that delivery vehicles would create problems. Local knowledge said there would be a parking shortfall and this mattered because a new, large improved shop would increase the need for parking. He could not see The Chequers surviving for much longer if the application was approved.

Councillor Rouse continued, saying that if Fordham's population increased, there would be a need for The Chequers because it was a community asset; the new shop would just stifle it. He believed that Councillor Huffer's remarks covered all the issues, and he too thought this was the wrong site for the new shop. He therefore proposed that the Officer's recommendation for approval be rejected.

In seconding the motion for refusal, Councillor Beckett concurred that the Case Officer had prepared a good report. Fordham was a thriving village and all the businesses generated traffic. This corner of Carter Street was a nightmare and to narrow the road would be suicide because it would back up everything. The village desperately needed a new shop but this location was not the right place.

The Chairman reminded Members of previous applications that had been refused due to their potential to have an adverse impact on a nearby business. In this case there would not be enough parking and there had been numerous Highways bids to improve the corner. The proposal would only exacerbate problems.

There being no further comments or questions, the motion for refusal was put to the vote and declared carried, there being 7 votes for and 1 against.

It was resolved:

That planning application reference 17/00146/FUL be REFUSED for the following reasons:

- The impact of the proposal on highway safety;
- It will create a shortfall in parking; and
- The impact on existing businesses.

*Councillor Beckett left the room at 3.25pm*



**11. 17/00222/FUL – LAND ADJACENT TO 2 HOUGHTONS LANE, ISLEHAM**

Richard Fitzjohn, Planning Officer, presented a report (S15, previously circulated) which sought full planning permission for the erection of three detached bungalows and garages.

Amended plans had been submitted during the course of the application to address topographical inaccuracies and Officer concerns regarding surface water drainage and boundary treatments. Additional plans had also been submitted during the course of the application to show the appearance of the proposed garages.

On a point of housekeeping, the Planning Officer stated that since the publication of the agenda, he had received additional consultation responses from the Parish Council and a neighbour.

It was noted that the application had been called in to Planning Committee by the Chairman, Councillor Joshua Schumann. He believed that in the interests of openness and transparency, with the Chairman of the Parish Council and Ward Member having to declare a pecuniary interest, it would be best for determination to be made in an open forum. Councillor Schumann also acknowledged that the Planning Committee recently considered an application in close proximity to the application site, and to be consistent, it would be best for this application to follow a similar pathway.

The application site was located outside of, but immediately adjacent to, the established development framework for Isleham. The site was located on the north side of Houghtons Lane, which comprised a single track lane predominantly surrounded by open agricultural fields to the north, east and south.

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

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

- Principle of Development;
- Character and appearance of the area;
- Residential Amenity;
- Highway safety;
- Flood Risk and drainage;
- Ecology; and
- Archaeology.

The Planning Officer reminded Members of the Council's current inability to demonstrate an adequate 5 year supply of land for housing and the NPPF's presumption in favour of sustainable development.

The Committee noted that the proposed site was located adjacent to the established development framework for Isleham and it was well related to existing residential properties. It was located within a 30mph speed limit road which was very lightly trafficked. The proposed development would provide a new footpath adjacent to the front of the application site which would connect to the existing footpath along a small section of Houghtons Lane.

In connection with the character and appearance of the area, Members noted that the proposed dwellings were located on agricultural land and visible within the surrounding rural landscape. Being located adjacent to existing dwellings, the proposal would relate well to the existing built form of the area. The scale and design of the proposed bungalows were in keeping with the adjacent neighbouring bungalows and would not be incongruous with the surrounding area.

It was considered that the proposal would not significantly or demonstrably harm the settlement edge, and subject to appropriate materials and an appropriate soft and hard landscaping scheme being agreed with the LPA, the proposal was compliant with Policies ENV1 and ENV2 of the Local Plan.

In terms of residential amenity, the proposed bungalows were single storey and well-distanced from neighbouring dwellings. They would not create a significant overbearing impact, a significant loss of light or create an unacceptable level of overlooking upon the existing neighbouring properties. The size of the plots and amenity space for each proposed dwelling accorded with the guidelines of the East Cambridgeshire Design Guide and was adequate to ensure the future occupiers would enjoy high standards of amenity.

Speaking of highway safety, the Planning Officer stated that the proposed development would accommodate two vehicle parking spaces within each plot. It was noted that the Local Highways Authority (LHA) had raised no objections to the proposal but recommended conditions be appended to any grant of planning permission regarding access drainage and installation of the new footway. The applicant had been advised of the footpath construction requirements and had agreed to the footpath being constructed to the LHA's recommended specification.

Concerns regarding flood risk and drainage had been raised by neighbouring occupiers, but the proposed development would be located within an appropriate flood zone for development and the LPA did not hold any evidence which would suggest that it would be unacceptable in respect of flood risk. The application proposed to dispose of surface water via soakaways, the details of which could be secured through a planning condition. It was therefore considered that the proposal would not create any detrimental impacts in respect of flooding, in accord with Policy ENV8 of the Local Plan.

With the permission of the Chairman, the Democratic Services Officer read out the following prepared statement on behalf of Mr Derrick Beckett:

*'I moved to Houghtons Lane in 1953 and have lived and worked there ever since. In 1953 there was a row of houses on the south side reaching down to the slight bend in the road, these were not demolished until 1965 but there were never any buildings on the north side.*

*County Highways have always maintained this road and for many years cleaned the small ditch on the north side to drain it. The main reason for the flooding which you have pictures of is due to the lack of maintenance of the French drains on Sheldricks Road, which are supposed to take this water before it reaches Houghtons Lane.*

*This causes me considerable concern as the proposal is to install French drains at this site. Who will maintain them in the future ?*

*If this proposal is to go ahead, there is insufficient room to put a footpath and drains in the current width of this narrow lane and I see no reason why the applicant cannot move his boundary back north to accommodate the footpath and drains. Also he could put in a passing place on his boundary with 2 Houghtons Lane which would help to allow cars to pass without needing to back out into Sheldricks Road.*

*As a working farmer I have used this lane for 50 years and have never had any problems. During this it has generated a lot of traffic including many 38 tonne trucks, up to six a day in peak periods and numerous tractors with large machinery. Until I retired I had done a lot of maintenance on the road and drainage myself.'*

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

- This was a simple, straightforward application and similar to one that had been considered at the last Committee meeting;
- The site was not isolated, being outside of but adjacent to the development boundary;
- The Council could not demonstrate a 5 year supply of land for housing and therefore the presumption in favour of development should prevail;
- This was a sustainable location on the edge of a sustainable village;
- The bungalows would not be intrusive, but would mirror their surroundings and the low ridge heights would ensure that any adverse impact would be minimal;
- There were no objections from Highways, Environmental Health or the Trees Officer;
- The road network was very lightly used;
- This modest scheme on the edge of a sustainable village did not fail the policy tests;
- The applicant was content with the recommended draft conditions.

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

Councillor Cox said he had no quarrel with the principle of the buildings but he asked about the investigations regarding flooding and water management. Mr Proctor replied that the LPA was content with the proposals and the applicant would be content to draw back further into the site if necessary.

Councillor Rouse said he was concerned with the width of the road because it did not seem to him as though there would be much width left and he enquired about the actual width to the furthest bungalow. Mr Proctor replied that he did not have the details with him, but the proposal was acceptable in terms of visibility splays. This was no different to any other rural village, and with the low levels of traffic along the road, he did not envisage there being any problems.

In response to Councillor Rouse's remark that the site could have been located further back in the field, Mr Proctor said that the applicant owned the whole field but had not looked at how much more land would be needed. The Planning Manager interjected to say that Members were looking at what was before them today; anything else would require a new application.

Councillor Smith said that having been on the site visit, he could see that this was just a farm road. Councillor Cox agreed, saying he suspected that Members did not have the full picture regarding the size of some of the vehicles using the road. He believed this needed to be looked at very carefully, and a new planning application submitted if necessary.

The Chairman reminded Members that if they did not believe there would be a sufficient width of footpath, they could refuse to grant planning permission.

It was duly proposed by Councillor Cox and seconded by Councillor Austen that the Officer's recommendation for approval be rejected. When put to the vote,

It was resolved unanimously:

That planning application reference 17/00222/FUL be REFUSED for the following reasons:

- The impact of the proposed development and the proposed public footpath extension on the drainage of surface water from Houghtons Lane; and
- Insufficient room for a footpath in the current width of Houghtons Lane.

*There was a comfort break between 3.45pm and 3.55pm, after which Councillor Beckett rejoined the meeting.*

## 12. 17/00273/OUM – LAND OFF NESS ROAD, BURWELL

Barbara Greengrass, Senior Planning Officer, presented a report (S16, previously circulated) which sought outline planning approval for residential development with all matters reserved apart from the means of access, which would be off Ness Road via a ghost right hand turn.

The Senior Planning Officer drew Members' attention to the following matters of housekeeping which had arisen since writing her report:

- 1) Highways – the applicant has submitted additional information in support of the Transport Assessment, together with a Road Safety Audit for the proposed ghost island right turn lane, in response to the objection raised by County Highways. As no response has been received from the Highway Authority their objection still stands.
- 2) Affordable Housing – the applicant has submitted a draft S106 agreement, which offers the correct provision of 40% affordable units and removes reference to discounted market dwellings. The tenure mix would need to be agreed in line with the Council's policy of 70% rented and 30% shared ownership. This amendment overcomes the reason for refusal No. 3 in the Officer report.
- 3) Education contribution – the applicant has now included within the draft S106 agreement, a contribution for education. Figures would need to be agreed but this amendment overcomes reason for refusal No. 4 in the Officer report.
- 4) The applicant has also submitted an addendum to the Landscape & Visual Impact Assessment providing for the use of larger plants to quicken the screening and Members will be shown the revised photomontage in the presentation. Members have also been provided with a copy of this together with a letter from the applicant.
- 5) The application is still recommended for refusal for reasons 1 and 2, as set out in the Officer report.

The site was located outside the development envelope of Burwell, on the north edge of the village, bounded by existing gardens of adjacent residential properties in Toyse Close to the south, with Ness Road to the east. The application site encompassed some 4 hectares of agricultural land and being open and generally flat with limited boundary vegetation, it was visually prominent on approaching Burwell from the north.

A number of illustrations were displayed at the meeting, including a map of the application site, an aerial image, an indicative framework plan of the proposal, a photograph of the street scene, and photographs of the landscape impact at various points in time.

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

- Principle of Development;
- Visual Impact;
- Residential Amenity;
- Access and Highway Safety;
- Flood Risk and Drainage; and
- Ecology and Archaeology.

With regard to the principle of development, the Senior Planning Officer reiterated that Council was currently unable to demonstrate an adequate five year supply of land for housing. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) meant that permission for development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicated that development should be restricted.

The dwellings would be quite close to the settlement boundary and well connected to the rest of the village, and so would not be isolated. However, the environmental dimension of sustainability was also an important factor, part of which being the effects of the development on the character and appearance of the area and it was questionable whether this development was in fact sustainable.

Members were reminded that the site was proposed for housing development in the first call for sites exercise alongside the preliminary draft Local Plan in February/March 2016. The site was rejected by the Council based on concerns about access, visual impact and because there were more suitable sites available elsewhere in the village and it was not taken forward into the Further Draft Local Plan in January/February 2017.

In determining this planning application a different test was applied to that which was applied when assessing a site's suitability for inclusion in the Local Plan. As the residential development of this site was considered to be sustainable, the proposal should only be refused permission if it could be demonstrated that there was significant and demonstrable harm as a result of the development.

The proposed site sat directly adjacent to existing residential development along its southern boundary but it was very open with little vegetation to offer any enclosure. The existing settlement edge currently provided a strong natural edge to the settlement and a large residential development would be visually prominent and intrusive in this open location and would not provide for a natural extension to the built form of the village.

In addition, it would have the effect of elongating the built form of the village into the open countryside on the northern approach to Burwell. The development would therefore cause significant and demonstrable harm to this edge of settlement location. It would not enhance the settlement edge but would detract from the rural and undeveloped character of this approach to the village.

The development of this site for housing would create a hard built and urbanising edge to the village with a development form out of keeping with the surroundings, even if hedgerows were to be retained and extensive planting incorporated to the edge of the development site. The applicant was of the view that the development could be assimilated into its surroundings by the use of extensive planting belts. However, such planting would take considerable time to mature and the harm to the character of the area and the wider countryside would have already occurred. In any event it was considered that unacceptable development could not be made acceptable by screen planting.

The development would be harmful to the character and appearance of the area, contrary to Policy ENV1. The weight of the adverse environmental impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.

In terms of residential amenity, it was considered that a satisfactory relationship could be achieved within the development and to safeguard the residential amenity of existing residents at the reserved matters stage.

Members noted that the County Highways Authority had objected to the proposal as splays were shown for a 30mph limit and the access was situated within a 60mph limit. They were also of the view that it would be inappropriate to alter the speed limit as there was no active frontage. In addition, it had not been demonstrated that the access was safe or in an appropriate location and the application was not supported by sufficient highways or transport information to demonstrate that the proposed development would not be prejudicial to the functioning of the highway network or highway safety.

In connection with flood risk and drainage, it was noted that foul drainage and surface water drainage was acceptable in principle to the Lead Local Flood Authority.

Speaking of ecology, the Senior Planning Officer said that the ecological and biodiversity aspects of the proposal were deemed acceptable and biodiversity enhancements could be included within the soft landscaping and open space requirements for the scheme.

Referring to other matters, the Senior Planning Officer said the affordable housing contribution had been amended to remove the reference to discounted market dwellings, and this now complied with HOU 3 of the Local Plan. The applicant had also included within the draft S106 agreement a contribution for education.

At the invitation of the Chairman, Mr Sean Martin, agent for the applicant, addressed the Committee. He requested that determination of the application be deferred as there had not been enough time to allow all the information to be assessed. Consultants were working with the County Council regarding their holding objection and this could be addressed within four weeks. The information had not been considered fully by the Council and he believed Members should make their decision with all the information before them.

The Chairman responded by saying that there had already been a delay in bringing this application to Committee and other applicants were able to prepare their applications within time. He could understand why Members would be frustrated at the prospect of a further delay and that was why he had allowed this application to proceed.

At the invitation of the Chairman, Parish Councillor Robin Dyos, Burwell Parish Council, addressed the Committee and made the following points:

- There were currently 70 houses being built in Reach Road and the feeling was that an additional 88 houses would change Burwell into a dormitory of London;
- Responses from villagers highlighted concerns about the fundamental degradation of the balance in the village;
- There was concern about through traffic because Ness Road was very busy;
- The results of a highway survey showed a high number of vehicles coming through between 8am – 9am and 4pm – 5pm, and a considerable percentage were travelling in excess of 40mph;
- With the new developments in Soham, Fordham and Burwell traffic would increase and a 30mph speed limit would not make things any safer;
- The proposed development would have a huge impact on the soft edge of the village and would degrade the rural approach;
- This development would be an ‘add on’ and not an integral part of the village;
- To quote HRH The Prince of Wales, it would be a ‘monstrous carbuncle’.

In response to a question from Councillor Beckett about the Burwell Masterplan, Councillor Dyos replied that he had not been involved because it was before his time. However, the preferred site was in the centre of the village. Burwell was a long village and if this application was approved it would bring it nearer to Fordham and become an enclave.

Councillor Beckett next asked if the Burwell Masterplan had been adopted by the Council. The Planning Manager replied that it had fed into the



Local Plan and could therefore be given some weight. The Chairman added that the application could not be withdrawn, but if Members were so minded, there was the option to defer determination.

Councillor Beckett proposed that the Officer's recommendation for refusal should be supported, saying that the residents of Burwell had been consulted and had made their site preferences known. It should be acknowledged that the Masterplan was a minor consideration. Furthermore it was felt that this development would be a carbuncle on the side of the village and would not integrate at all.

In seconding the motion for refusal, Councillor Rouse said that a development on this fringe of the village would not make it coherent and he also had concerns about its cumulative impact.

There being no further questions or comments, the motion for refusal was put to the vote, and

It was resolved unanimously:

That planning application 17/00273/OUM be refused for the reasons given in the Officer's report and for the following additional reasons:

- Concern regarding the cumulative impact of the proposal; and
- Having regard to the findings of the consultation with residents on the Burwell Masterplan.

*Councillor Rouse left the meeting at 4.20pm.*

**13. 17/00314/FUL – 26 LYNTON CLOSE, ELY, CB6 1DJ**

Toni Hylton, Planning Officer, presented a report (S17, previously circulated) which sought full planning permission for the demolition of an existing single storey extension and construction of a two storey rear extension. Amended plans had been received during the course of this application to address issues relating to the overall scale of the extension and its impact on adjoining neighbours.

On a point of housekeeping, the Planning Officer stated that since publication of the agenda, she had received a further 5 objections. All of the issues had already been raised in her report.

Members also noted that the City of Ely Council had withdrawn its objection to the application and was now content with the amended plans.

It was noted that the application had been called in to Planning Committee by Councillor Elaine Griffin-Singh on the basis that the application had raised a number of objections from local residents. In the interests of openness and transparency, it would be best for the determination to be carried out in an open forum.

The application site was located at the end of Lynton Close. It was a small cul-de-sac of 27 dwellings, which were predominantly detached, although there were some semi detached dwellings. Each was set in a large

plot with a small garden and parking to the front with a large garden to the rear. The dwellings were a mix of style, design, and character.

A number of illustrations were displayed at the meeting. These included a map, an aerial view, a block plan of the proposal, the roof plan, elevations and the layout of the proposed extension.

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

- Impact on the character of the street scene;
- Impact on the adjoining neighbours;
- Impact on highway safety.

The Planning Officer reminded Members that the site was within the development envelope for Ely and on this basis the principle of extending a residential dwelling in this location was considered acceptable, subject to an assessment of whether the proposal was in keeping with the character of the area, would not be detrimental to the amenities of adjoining neighbours and that any proposal had adequate parking and did not harm the highway network.

The design of the dwelling was formed of two sections and the proposed extension would have a width of 3.8 metres which replicated the existing side section and would be set back from the main dwelling, in line with the second section of the dwelling. Whilst the roof line would not be set lower, it would still appear as an extension and subservient. It was considered that the proposal would not be to the detriment of the overall design of the building and would not be out of keeping with the character of the area.

Members noted that a number of residents had raised a number of objections. Many of the neighbours would have a view of the proposed extension and there was a perception, because of its size, that it would be overbearing and affect their amenities. However, when the distances and standards were applied it was considered that the amenities of the neighbours would be maintained and not be detrimental to the enjoyment of their properties. On this basis the proposal complied with the Design Guide and Policy ENV2 of the Local Plan.

With regard to the impact on highway safety and parking provision, it was noted that the dwelling had a minimum of two parking spaces. The garage could be conditioned to restrict its use to the parking of vehicles only.

At the invitation of the Chairman, Mr Colin Day, representing the neighbours who had raised objections to the proposal, addressed the Committee and made the following remarks:

- They had consulted the NPPF and Local Plan and taken advice from a retired planning director;

- No account had been taken of the bulk or scale of the proposal;
- It was claimed that it would comply with policy, but the brick wall would not enhance the area;
- There were some misquotes, omissions and inaccuracies;
- The objections to the proposal were supported by policies and Section 7 of the NPPF, and the Officer's report did not deal with this;
- The east and west elevations would have featureless brick walls, both of which would be perpendicular;
- The extension would be the size of an average house, it would not be subservient to the dwelling and would be overbearing;
- No 24 Lynton Close, 217 and 219 High Barns would be the worst affected properties;
- This area had open green spaces, with no large perpendicular extensions or featureless brick walls;
- To approve the application would be to set a precedent and this would have implications for the whole of the City.

At the invitation of the Chairman, Mr Davies, applicant, and Mr Ess, agent, addressed the Committee and made the following points:

Mr Ess:

- The design brief was to provide additional living space for the family, as the existing arrangement was rather convoluted;
- This would involve demolition of the existing single storey extension;
- The design had gone through several evolutions and there had been extensive discussions with the Planning Officer;
- The proposal met the brief of both national and local policy and the Design Guide, and it would be the same size and scale of neighbouring properties;
- It had been reduced in length, there would be glazing to the east elevation and the increase in distances from the boundaries was substantial.

Mr Davies:

- The family had lived in the area for 25 years;
- His house had 3 bedrooms, not 4, and he was looking to increase the size with another bedroom and an additional bathroom;
- All he wanted was a family home – he was not looking to make a fast buck;

- He had repaired the boundary fences;
- He had cordial relations with all the neighbours and had complied with all requests.

Councillor Beckett said that while the proposal looked acceptable when viewed on site, he struggled with the bulk and scale of the extension when looking at it on paper. He was not sure that the drawings did it justice, but if the increase was only 36 square metres (24%), then he would have no problem with that.

The Planning Manager commented that Members had been able to see how far the existing extension extended back into the site and the new one would not extend so far.

Councillor Beckett continued, saying that it would not be as significant an increase as would appear, and he duly proposed that the Officer's recommendation for approval be supported.

In seconding the motion for approval, Councillor Cox agreed that the extension would be subservient to the main house.

The Chairman said he had noted the comments regarding loss of light but he did not think it would be significant enough to warrant refusal and he was therefore inclined to support approval.

When put to the vote,

It was resolved unanimously:

That planning application reference 17/00314/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

*Councillor Rouse rejoined the meeting at 4.40pm.*

#### **14. 17/00355/FUL – 59A GREAT FEN ROAD, SOHAM, CB7 5UH**

Gareth Pritchard, Planning Officer, presented a report (S18, previously circulated) which sought full planning permission for a single storey detached dwelling on land to the west of 59A Great Fen Road, with accommodation in the roof space.

Due to the constraints of the site the proposed dwelling would be at gable end to the highway. A driveway, parking and access would be provided to the south east of the dwelling and private amenity space to the north west.

It was noted that the application had been called in to Planning Committee by Councillor Carol Sennitt as it would add to the housing stock and so should be considered.

The application site was located outside of the established development framework for Soham, and as such it was considered to be in a countryside location where development was tightly controlled. The site was

located within Flood Zone 3, and the surrounding area was considered to be primarily agricultural with sporadic housing along Great Fen Road.

A number of illustrations were displayed at the meeting, including a map, an aerial image, an indicative aerial image of the location, the elevations, a block plan of the proposal, and photographs relating to the principle of development and visual amenity.

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

- Principle of Development
- Flood Risk
- Visual Amenity
- Residential Amenity
- Highway Safety

It was noted that the application site was outside of the defined development boundary. However, as the Council was currently unable to demonstrate a five year supply of land for housing the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) meant that permission for development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicated that development should be restricted.

The site was considered to be isolated from any built settlement, being 3 miles from the nearest settlement of Soham. It was in an isolated, rural location, and was therefore considered to be an unsustainable location for the erection of a new dwelling, similar to the conclusions of the Inspector in a recent appeal decision which formed a material consideration to be given significant weight in determining this application.

The Planning Officer reminded Members that the site was located in Flood Zone 3, and Table 3 of the NPPF Planning Practice Guidance made it clear that this type of development was not compatible with this Flood Zone, and therefore should not be permitted unless the development was necessary.

The applicants had not submitted a Flood Risk Assessment, and in the absence of one, the LPA considered the requirements of the Sequential Test. It was considered that as there were a number of other reasonably available sites for the erection of a single dwelling within the Parish of Soham that were at a lower risk of flooding, the proposed additional dwelling was not necessary in this location and the application failed the Sequential Test for this reason.

In terms of visual amenity, the site was used for commercial purposes, being occupied by an office associated with the adjoining timber yard and used for the storage of timber materials. On balance, it was considered that the visual impact of a dwelling within the relatively rural area was minimal and would not cause significant or demonstrable harm.

Due to the location of the proposal in relation to neighbouring dwellings, it was not considered that there would be a significant loss of privacy. Consideration had also been given as to whether the proposed dwelling would be significantly overbearing or cause a significant loss of light to 59 Great Fen Road, as the property had windows along its side elevation facing the site. Taking into consideration the location of the proposed dwelling and the existing office building, it was not considered that there would be a significant loss of light or that it would be overbearing to any greater extent than the existing office.

The Local Highways Authority had not raised any objections and the application was therefore considered to comply with Policies COM7 and COM8 of the Local Plan.

At this point, Councillor Beckett said he now felt that he should have declared a personal interest in this application as he was a customer of the timber yard business. The Planning Solicitor advised that in the light of this, it would be better for Councillor Beckett to leave the room.

*Councillor Beckett left the meeting at 4.48pm.*

At the invitation of the Chairman, Mr Keith Hutchinson, agent for the applicants, addressed the Committee and made the following comments:

- The Council was unable to demonstrate a five year supply of land for housing, so the Local Plan was out of date and the presumption should be in favour of sustainable development;
- The Officer's report accepted that there was no unacceptable impact on visual amenity;
- The location was a brownfield site. The site was between properties and would not extend out into the countryside;
- The main objection was regarding sustainability and yet it was accepted that most journeys in this rural area were made by car, because public transport was limited;
- Refusal of the application could harm rural vibrancy in the long term;
- The Planning Committee had approved an application in Chapel Lane;
- He disagreed that the emerging Local Plan could not carry any weight;
- Great Fen Road was suitable for infill and it was in defended Flood Zone 3 where the levels were 500 metres above flood levels;
- The Environment Agency had no objections, the proposal was supported by the Parish Council and there had been no objections from neighbours;
- It would not extend out into the countryside, there was no flood risk and there were no adverse impacts to outweigh the benefits of the scheme;
- The scheme should be approved.

Councillor Rouse said that Members had been through the arguments regarding sustainability many times. The Officer had produced a very

balanced report and a decision would hinge on well rehearsed issues. He did not think the dwelling would cause any harm and he was happy to propose that the Officer's recommendation for refusal be rejected.

The motion was seconded by Councillor Hitchin and when put to the vote, it was declared carried, there being 5 votes for and 2 votes against. Whereupon,

It was resolved:

That planning application reference 17/00355/OUT be APPROVED for the following reasons:

- Members do not believe that it will cause demonstrable harm;
- It is development of a brownfield site; and
- It is in a defended flood zone.

It was further resolved:

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

*Councillor Beckett returned to the meeting at 4.56pm.*

**15. 17/00454/FUL – TUNBRIDGE HALL, 60 TUNBRIDGE LANE, BOTTISHAM, CB25 9DU**

Gareth Pritchard, Planning Officer, presented a report (S19, previously circulated) which sought planning permission for a swimming pool/garden house to be used in an ancillary manner with Tunbridge Hall.

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

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. Given the edge of settlement location, the surrounding area was mixed with residential and employment uses.

A number of illustrations were displayed at the meeting, including a map, an aerial image, an indicative aerial image of the location, the elevations and an aerial image with an indicative of the block plan.

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

- Impact on the Green Belt and visual amenity;
- Residential amenity; and
- Trees.

The proposed pool house would be of a scale that was subservient to Tunbridge Hall and it was considered to be proportionate to the size of the host dwelling and the grounds within which it was set. The proposal was not considered to have an adverse impact on the Green Belt as the application site formed part of a domestic curtilage, defined by mature planting around the site and post and rail fencing to the east. The applicant proposed buff brick with slate roof, which would help the pool room assimilate itself well with the host dwelling.

Given the location of the proposal in relation to neighbouring properties, it was not considered to result in a significantly detrimental harm or loss of privacy. It was therefore considered that the proposal complied with the residential amenity aspect of Policy ENV2.

The proposed development would be in close proximity to hedgerow and a large tree to the east. The Trees Officer had not objected to the application, but had requested an informative relating to tree protection during development, which was considered to be acceptable.

Councillor Rouse said Tunbridge Hall was a fine house and he could see no reason not to approve the application.

Councillor Beckett remarked that, in fairness to other applications that the Committee had considered for granny annexes etc, this proposal seemed rather large. He wondered whether the development would be used for more than a changing room. The Planning Manager replied that this was what the applicant wanted and ultimately it was what the Committee had in front of them. A condition could be imposed restricting it from being used as a separate unit of accommodation, but given the location, she thought it would be unlikely.

Councillor Cox said he did not expect the room would be used for anything other than a pool facility.

It was proposed by Councillor Rouse and seconded by Councillor Stubbs that the Officer's recommendation for approval be supported, and when put to the vote,

It was resolved unanimously:

That planning application reference 17/00454 be APPROVED subject to the conditions as set out in the Officer's report.

**16. 17/00732/FUL – LAND PARCEL SOUTH EAST OF BERRYCROFT, REDFEN ROAD, LITTLE THETFORD**

Ruth Gunton, Planning Officer, presented a report (S21, previously circulated), which sought permission for the construction of a new 4 bedroom dwelling on brownfield land currently containing unused stables and outbuildings. There was evidence of recent activity of some description, so the site was not considered to be completely abandoned.



An application for a very similar dwelling on the same site was refused planning permission in January 2017. This application proposed the removal of the separate garage, changes to the external materials, the introduction of energy efficiency measures and other minor modifications.

On a point of housekeeping, Members' attention was drawn to a tabled sheet which set out a number of items of housekeeping:

- The Trees Officer had asked for the following condition to be attached if the application was approved:

*' The tree protection measures as shown on plan 02/THOMP/16 (received 24<sup>th</sup> April 2017) shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.'*

- Little Thetford Parish Council recommended refusal of the application as it did not comply with Policies GROWTH5 and COM7 of the Local Plan; and
- The Highways Authority had now withdrawn their objection but wished any other comments and informative made to be included and considered when determining the application.

It was noted that the application had been called in by Councillor Bill Hunt as he considered that it would benefit from 'the wider debate that Full Planning Committee allows.'

The site was located outside the development envelope of Little Thetford on brownfield land bordered predominantly by open countryside. There were a number of trees and hedges along the site boundaries and whilst individually none would be particularly worthy of formal protection, they did provide a natural screening of the site and it would be desirable to retain them.

A number of illustrations were displayed at the meeting. These included a map, an aerial image of the site location, the proposed site plan, the proposed elevations, and the proposed floor plans.

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

- Principle of development;
- Residential amenity; and
- Visual amenity and character.

The Planning Officer reiterated that a similar application had been refused in January 2017. This application had not addressed the issues of sustainability and highway safety and there would still be an over-reliance on the use of motor vehicles. The small cluster of dwellings in close proximity to the development site would not constitute a rural settlement, and as such, growth was not encouraged as it would be unlikely to lead to the long term sustainability of this residential cluster. There was no designated pedestrian crossing or footpaths on the A10 road; highway safety was therefore a major concern due to the speed and amount of traffic on the road.

With regard to residential amenity, the proposal was not considered to cause a detrimental impact to nearby dwellings and the separation distance of 40 metres from the closest residential property would likely subdue any overbearing impact. The level of noise from the A10 which was likely to be experienced by future occupiers was considered acceptable by virtue of the distance of the site from the road.

Speaking next of visual amenity, the Planning Officer said that the visual impact of the dwelling was not likely to harm the character of the area and it would not appear incongruous in the open countryside. The dwelling was likely to be well shielded by existing boundary planting and it would not be visible from the A10. The design and style would not appear out of character in the semi rural location and amongst the small cluster of similarly designed dwellings. The applicant had proposed agreement of the materials to be secured by condition. The proposal was therefore considered to comply with Policy ENV2.

The proposal did not promote sustainable forms of transport and future residents of the dwelling would be reliant on motor vehicles to access any local services or facilities. The significant detrimental harm of the proposal was considered to outweigh any benefits and the application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Greg Saberton, agent for the applicants, addressed the Committee and made the following points:

- The proposal was for a 4 bedroom chalet dwelling;
- The original agricultural barn was converted into stables;
- The site already has electricity and a postal service;
- The neighbours supported the proposal and apart from sustainability, there were no other concerns;
- The A10 was the main road and the public crossed it to walk their dogs. It was also a major walking and cycling route with a public footpath to Witchford. There was a wide grass verge and a bus stop to Ely;
- The speed limit had been reduced to 40mph and there was a minimal increase in traffic levels;
- The Local Highways Authority had no objections to the application;

- Two applications at Grunty Fen Road had recently been approved;
- The current view regarding sustainability was that people needed to drive;
- The Parish Council had raised concerns about the lack of a footpath, but it was a dog walking route;
- The footprint would not be increased and the dwelling would not be visible;
- It would be beneficial to the community and would have a minimal impact on the countryside.

It was noted that Councillor Bill Hunt, a Ward Member for Stretham, was unable to attend the meeting but had requested that a statement be read out on his behalf. With the permission of the Chairman, the Democratic Services Officer read out the following statement from Councillor Bill Hunt:

*'I am a local Member for the Stretham Ward.*

*I understand this application will be heard by Committee on Wednesday, 7<sup>th</sup> June.*

*I have 'called in' this application as I feel that this matter would best be dealt with by open debate by the Committee. There is already an existing small community in this part of Red Fen Road. It should be noted that the County Council (with Parish Council and Police support) have recently approved a 40mph limit area with additional speed reduction features to be installed. This work is due in 2017.'*

In response to a question from Councillor Stubbs, the Planning Officer confirmed that the LHA had now withdrawn their objection to the application, but their original advice remained.

Councillor Smith remarked that the issue of sustainability bore similarity to the timber yard application, and the Chairman agreed, adding that the comments regarding the use of cars stood firm.

Councillor Beckett felt that as there were no properties on this side of the road, the proposal was extending into the countryside. He therefore proposed that the Officer's recommendation for refusal be supported.

Councillor Rouse said he had no strong feelings either way; the site was cut off but so were other cottages in the District. He was inclined to go against the Officer's recommendation.

Councillor Cox concurred, adding that the Committee had already approved one or two similar sites. He too was minded to grant approval.

Councillor Austen seconded the motion for refusal, and when put to the vote, it was declared defeated, there being 3 votes for, 4 votes against and 1 abstention.

It was then proposed by Councillor Rouse and seconded by Councillor Cox that the Officer's recommendation for refusal be rejected. When put to the vote, the motion was declared carried, there being 4 votes for, 3 votes against and 1 abstention. Whereupon.

It was resolved:

That planning application reference 17/00732/FUL be APPROVED for the following reasons:

- Members do not believe the site is unsustainable; and
- It will be redevelopment of a brownfield site.

It was further resolved:

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

## **17. PLANNING PERFORMANCE REPORT – APRIL 2017**

The Planning Manager presented a report (S22, previously circulated) which summarised the planning performance figures for April 2017.

It was noted that a new section had been added to the report, in which the figures for 2016 were compared to those for 2017.

The staffing of the department was now up to full strength and Officers were still having to cope with a heavy influx of planning applications.

The Planning Manager informed Members that the FP McCann decision had been quashed and so the application would come back to Committee, potentially in August.

The Chairman said it had been brought to his attention that Lorraine Brown, Conservation Officer, had been taken into hospital and he asked that best wishes for a speedy recovery be conveyed to her on behalf of the Committee.

It was resolved:

That the Planning Performance Report for April 2017 be noted.

## **18. EXCLUSION OF THE PRESS AND PUBLIC**

It was resolved:

That the press and public be excluded during the consideration of the remaining item no. 19 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).

**19. TAKING OF ACTION UNDER SECTION 215 OF THE TOWN & COUNTRY PLANNING ACT 1990**

The Planning Solicitor advised Members of the Public Sector Equality Duty (S149, Equality Act 2010) and read out the relevant section of the Act.

Julie Barrow, Senior Planning Officer presented an exempt report (S23, previously circulated) which sought Member agreement for a specific course of action under Section 215 of the Town & Country Planning Act 1990.

The report set out the background to the case, the available options, the financial and legal implications, and issues regarding equality and human rights. Following discussion, and having asked questions of the Senior Planning Officer,

It was resolved unanimously:

That the actions, as set out in paragraphs 2.1 – 2.4 of the report, be approved.

The meeting closed at 5.41pm.