



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange,
Nutholt Lane, Ely on Monday, 18th September 2017
at 2.00pm.

P R E S E N T

Councillor Joshua Schumann (Chairman)
Councillor Christine Ambrose Smith
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Mark Goldsack (substitute for Councillor Lisa
Stubbs)

Councillor Bill Hunt
Councillor Mike Rouse
Councillor Stuart Smith

OFFICERS

Julie Barrow – Senior Planning Officer
Tim Driver – Planning Solicitor
Richard Fitzjohn – Planning Officer
Oli Haydon – Planning Officer
Catherine Looper – Planning Officer
Janis Murfet – Democratic Services Officer
Gareth Pritchard – Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Peter Cresswell
Approximately 35 members of the public

65. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Sue Austen, Derrick Beckett, David Chaplin and Lisa Stubbs.

It was noted that Councillor Goldsack would substitute for Councillor Stubbs for the duration of the meeting.

66. DECLARATIONS OF INTEREST

Councillor Ambrose Smith declared an interest in Agenda Item No. 8 (17/00639/FUL, Lotsend, Great Fen Road, Soham, CB7 5UH), saying that she had a customer relationship with the applicant. The Planning Solicitor advised her that she should withdraw from the Chamber prior to consideration of the application.

67. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- The Planning Committee on 4th October 2017, would be an all day meeting, with the site visits taking place on 3rd October;
- The order in which the applications were to be taken at today's meeting would be changed from that published, as there were a number of items sharing common issues and themes.

The order would now be as follows: Agenda Item 4 followed by 5, 11, 6, 8, 7, 9, 10, 12 – 15.

Each application would be judged individually and determined on its own merits.

68. 17/00358/FUL – LAND ADJACENT 29 BROAD PIECE, SOHAM, CB7 5EL

Catherine Looper, Planning Officer, presented a report (S98, previously circulated) which sought permission to erect a two storey dwelling with access for parking and garaging. The application also sought to create access and parking for the adjacent dwelling, at No. 29.

The site was located to the north-west of Soham and was within the designated development envelope.

It was noted that the dwellings within the street scene were generally set back from the public highway, and were more traditional in design.

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

Members were reminded that this application was a re-submission of a previously refused application (16/01750/FUL). The differences between the applications were in the layout and external design of the dwelling and its position on the plot, and the removal of the previously proposed three-bay car port.

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

- Residential Amenity;
- Visual Amenity;
- Highway Safety.

The Planning Officer said it was considered that the proposed dwelling would create a significant level of overbearing on the neighbouring dwelling at No. 30 due to the level of two storey built form in close proximity

to the boundary of the single storey dwelling. It was also considered that the proposal would be likely to create a loss of light to the rear private amenity space of this neighbour.

The previous reason for refusal as part of application 16/01750/FUL had not been overcome in the current application and therefore still stood. The site was within a safeguarding zone for Anglian Water's Soham Recycling Centre (WRC) and it had not been satisfactorily demonstrated that the future occupiers of the dwelling would not be adversely affected by odour from the WRC. Anglian Water had advised that the WRC had been the subject of several detailed odour risk assessments in recent years, all of which had indicated a high probability of strong emissions at the location of the proposed development. In addition to this, there was also potential for disturbance created by mechanical plants and vehicle movements associated with operations. They had received complaints regarding odour and were concerned that the addition of a dwelling would increase the potential for issues and complaints.

The Council's Environmental Health Technical Officer had advised that the site would be subject to some odour from the WRC and agreed there was potential for loss of amenity of future occupiers due to emissions. Whilst it was acknowledged that there were other residential dwellings within the safeguarding zone, these were historic and were built before the safeguarding zone was introduced in February 2012. An additional dwelling could not be supported, as it would be the closest dwelling to the WRC.

The Local Highways Authority (LHA) had raised no objections to the application, but noted that parking arrangements would require a prolonged dropped kerb access. This parking arrangement would be likely to cause disturbances on the road due to the number of vehicle manoeuvres required to enter and exit the site. It was also likely that the centre spaces would create problems with accessing vehicles for the physically impaired.

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

- The application site was located to the south west of the development envelope;
- The report did not mention that it was constrained by a foul water sewer. It was a requirement that there should not be development 3 metres either side of the sewer and the layout of the site had taken into account this requirement;
- The dimension quoted to the joint boundary was actually 7.24 metres;
- The Local Planning Authority had often accepted a double storey dwelling next to a single, Ness Road, Burwell being an example;
- With regard to loss of light at the rear, this would only be during early to mid morning hours;
- The location abutted the sewage works;
- As a resident of Soham, he remembered there being malodour many years ago, but not now. A consultant had been appointed and

produced an Odour Assessment on 28th April, which indicated an intensity level of less than 2. When the tankers were discharging, it would be about level 4, but this would only happen a small percentage of the time;

- Twice in the last month the town had suffered from the smell of muck spreading;
- The Council could not demonstrate an adequate 5 year supply of land for housing.

Councillor Edwards asked if there had been any cases of the malodour causing harm to people. The Planning Manager replied that Environmental Health had been consulted on the application, but nothing had been raised in their comments.

Councillor Rouse thought the site to be a very good plot and said he could see no reason to refuse the application. There would be no overlooking and the constraints had been explained. The person buying the property would be aware of the smells and so he was minded to go against the Officer's recommendation for refusal.

Councillor Hunt concurred saying he did not think the proposal would be much of an intrusion. There were 'smells' in the countryside and this would probably be reflected in the asking price for the property.

Councillor Goldsack commented that there had been no smell during today's site visit and there would be more likelihood of it at the primary school; he did not think that the proposal would be overbearing.

It was proposed by Councillor Rouse and seconded by Councillor Hunt that the Officer's recommendation for refusal be rejected, and when put to the vote,

It was resolved unanimously:

That planning application reference 17/00358/FUL be APPROVED for the following reasons:

- Members consider the plot to be of a size that it will not cause overlooking or be overbearing; and
- The purchaser of the dwelling will be aware of the potential issue of malodour.

It was further resolved:

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

69. 17/00387/OUM – LAND TO THE NORTH OF POTTERS COTTAGE, 39 CHURCH STREET, ASHLEY

At this point, the Chairman invited the Planning Solicitor to address the Committee regarding the letter from Richard Buxton Environmental and

Public Law, solicitors acting for Ashley Parish Council, which referred to agenda items 5 and 11, as listed on the published agenda.

The Planning Solicitor read out the following statement:

“As you will see the letter is from Richard Buxton Environmental and Public Law, solicitors acting for the Ashley Parish Council. It refers to agenda items 5 and 11.

Paragraphs 1 to 8 of the letter basically set the scene for the points made on the 5 years housing land supply in the rest of the letter. On the 5 years housing land supply part of the letter, members’ attention is drawn to the following points.

In paragraph 10 it reports the Council as saying “it could demonstrate 5.59 years supply of deliverable housing”. The source of the remarks there is stated to be the Council’s Five Year Land Supply Report of January 2017.

In paragraph 11 it refers to advice given by the Council in June 2017 to the applicant in agenda item 11 that “it is expected that the Council will be able to demonstrate that it has an adequate five year supply of land for housing by late Summer/early Autumn”.

Having mentioned the likely timing of the Council’s consideration of the draft submission Local Plan in paragraph 12, the nub of the letter is in paragraphs 13 to 15 to which Members should pay particular attention. Members will note the “understanding” set out in the first sentence in paragraph 11, also the statement that the information in that sentence does not yet appear to be in the public domain.

Paragraph 14 suggests that if the information in paragraph 13 is correct and the Council has a 5 year housing land supply, the reports on agenda items 5 and 11 are materially misleading. This is a comment which Members will appreciate could equally be made about many other officers’ reports which have been considered by the Committee.

Paragraph 15 makes the follow-up point that, if agenda items 5 and 11 are considered on the basis of the comment in the report about the lack of a 5 year housing land supply, this would “lead to an error of law as the decision would be premised on a material mistake of fact”.

The letter goes on to make the two alternative requests in paragraph 16. The first is that the application should be deferred until the proposed submission Local Plan is made public. The second is that, if the applications are to be considered by the Committee, the officers’ reports must, as a matter of law, be updated to reflect the latest position on the 5 years housing land supply and the advice revised as a consequence.

In terms of the response to points made in the letter, the next stage in the Local Plan process is the report to be considered by Council in October. It remains a possibility that some parts of the draft Local Plan, possibly including those relating to the 5 years housing land supply, could change during that process. The Council will therefore not have a 5 year housing land supply until the Local Plan is finally adopted by the Council. For these

reasons the officers' report on agenda items 5 and 11 are not incorrect or misleading as alleged in the letter and it is the officers' view that it is not necessary to accede to either of the requests made in the letter".

The Planning Manager commented that the Council could not currently demonstrate a five year supply of housing land and whilst a report would be going to Full Council on 5th October 2017, today's applications would be considered on the basis that there was not a five year supply of land.

Julie Barrow, Senior Planning Officer, then presented the report (S99, previously circulated) which sought outline planning consent for 28 dwellings on land to the north of Potters Cottage, Church Street, Ashley. Access, layout and scale were being considered with appearance and landscaping as reserved matters.

It was noted that the proposal had been amended during the course of the application to remove two dwellings from the proposal and additional drainage information had been submitted.

Eleven dwellings were being offered as affordable units, and the proposal also included an area of open space with a play area and a number of visitor parking bays.

On a point of housekeeping, the Senior Planning Officer reminded Members that various pieces of correspondence had been circulated to them in advance of the meeting, the most recent being late on the evening of 15th September. She had also received a comment via the public access website.

The majority of the site was located outside of but adjacent to in places, the established settlement framework for Ashley. The access to the site was within the Ashley Conservation Area, with the main bulk of the site on which dwellings were proposed outside. The Parish Church, a Grade I listed building, was located to the south east of the site on the opposite side of Church Street and there were also a number of Grade II listed buildings close by. The site itself and the land to the north had been in use for arable farming and planning permission had recently been given for the use of the land to the north as a stud enterprise.

It was noted that the application was called in to Planning Committee by Councillor Peter Cresswell – *"In view of the considerable local opposition to this application from residents in Ashley, I wish to formally request that it is "called in" for determination by the Planning Committee"*.

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

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

- Principle of Development;
- Cultural Heritage;
- Visual Amenity;

- Housing Mix & Affordable Housing;
- Residential Amenity;
- Drainage and Flood Risk;
- Highway Safety;
- Ecology.

The Senior Planning Officer reminded Members of the Council's current position regarding an inability to demonstrate an adequate five year supply of land for housing. It was noted that the site was put forward in the recent "call for sites" process as part of the Local Plan Review. The site was rejected by the Strategic Planning Team due to the loss of farming land and the impact on heritage assets and their settings. However, the site was in close proximity to the limited goods, services and public transport on offer in the village and it was considered that the loss of farmland would not be significantly detrimental.

With regard to cultural heritage and visual amenity, it was noted that the scheme would result in modern housing being introduced north of the Conservation Area, beyond the historic pattern of development.

Historic England did not suggest that there would be any harm caused to the setting of the Church of St Mary, and while the impacts of the proposal on the immediate setting of the individual assets listed in the Officer's report were considered to result in less than substantial harm, the impact of the proposal on the Conservation Area was considered to result in substantial harm. The proposal did not respect the existing character of the locality, contrary to HOU2, and it was therefore considered to be contrary to Policies ENV11 and ENV1.

The proposal included a range of dwelling types and sizes, and 40% of the dwellings would be affordable units with a mix of affordable rented and shared ownership properties.

Speaking of residential amenity, the Senior Planning Officer stated that the plot sizes were broadly in accord with the Design Guide SPD and there was scope within reserved matters to minimise overlooking and address the protection of the privacy of existing residents on Church Street. The proposal was therefore compliant with Policy ENV2 in this regard.

Members noted that the application site was located in Flood Zone 1. The Environment Agency had originally objected to the proposal as submitted, as it failed to provide assurance that the risks of pollution to controlled waters were acceptable or could be appropriately managed. The Lead Local Flood Authority (LLFA) had also objected to the proposal and declined to comment further until such time as the Environment Agency was able to withdraw its objection.

The Environment Agency had now removed its objection following receipt of a ground conditions report, and the LLFA had also removed its objection.

The Local Highways Authority had been made aware of residents' comments, but accepted the findings of the 'Speed Survey' and therefore raised no objections to the proposal. It was considered that the scale of the scheme would not have wider network implications and there would be sufficient parking for residents and visitors.

An Ecological Appraisal had been submitted with the application and any enhancements required could be secured by condition. There were a number of trees on the periphery of the site but it was considered that they did not present a significant constraint to development.

Turning to other matters, the Senior Planning Officer informed the Committee that no objection to the application had been received from County Council on the basis that a financial contribution would be sought for Bottisham Village College.

The applicant had acknowledged the concerns raised by the Parish Council and local residents regarding flooding in the centre of the village, but there was no evidence to suggest that flooding occurred as a direct result of activities on the application site. The applicant had offered to secure the necessary improvements to the drainage system within the village.

In the light of the removal of the objections from the EA and LLFA,, the application was now recommended for refusal for Reason No. 1 only, as set out in the Officer's report.

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

- The application contravened the Ashley Parish Plan, which supported infill development of a few houses. There was also a substantial majority of people in the village who did not want any other development;
- Ashley had evolved slowly and all other developments had been built in a linear fashion along existing roads, and in general were within the boundary of much older houses;
- The layout of the proposed development was very poor and would appear to be very isolated;
- The Parish Church had views directly into the open churchyard and the countryside north of Church Street. This view was specifically mentioned in the Conservation Area Appraisal as being of particular importance because it linked this part of the village directly with the rural nature of the area;
- If the development went ahead, the view from the Church across open fields would be lost, as would the peace and tranquil views of this particular area;
- The whole purpose of this area of Ashley becoming a Conservation Area was to ensure that it would not be compromised by inappropriate development. Allowing this development would make a mockery of that;

- The ditch created across the southern boundary of the site and the deep ploughed field helped to ensure there was no significant run off at present;
- A neighbour had obtained an injunction in the past against the Fairhaven Estate to prevent water running off the fields to the north. The Estate had paid for a drainage solution. This included the ploughing of the fields.
- Unless substantial deep-bore soakaways were constructed, the land would be unable to successfully contain the rainwater;
- Anglian Water did not have the capacity for any extra drainage into their systems.

The Chairman asked Mr Allen if he thought the drainage could be improved rather than worsened if the development went ahead. Mr Allen replied that it would be worse, because there was nowhere for the water to go and it would come straight across the development into the existing gardens.

At the invitation of the Chairman, Ms Megan Bonnar, agent, addressed the Committee and made the following remarks:

- Last year Officers had approached the applicant wanting housing sites in the south of the District and this application followed a positive pre-application response for housing on the site;
- The development would be in the centre of the village with an easy route to the shops;
- The problems with parking were historical, and parking was proposed as part of the application;
- The housing mix would include 11 affordable units. Some self build units were suggested, but the Parish Council was against this;
- The social response would be to deliver a wide range of housing but the housing market would not help alleviate problems and help with the vulnerable members of society;
- The drainage scheme would bring significant benefits and protect the listed buildings against flooding;
- Since 2001 just 17 houses had been built in the village;
- Appearance was a reserved matter and the Council could ensure that the materials were suitable;
- The Council could not demonstrate a five year supply of housing land and therefore the presumption should be in favour of sustainable development and this was much needed housing in a sustainable location;

- This was an holistic application which would meet the social responsibilities of the Council and the developer. It would bring significant benefits, especially to the elderly and young families.

The Chairman asked Ms Bonnar whether she would be willing to look at the design to mitigate the impact of the development, and if it would be possible to do this; Ms Bonnar replied that it could be achieved through the design and materials.

At the invitation of the Chairman, Parish Councillor Sarah Howell, Chairman of Ashley Parish Council, addressed the Committee and made the following comments:

- Drainage and impact on heritage assets were key considerations;
- Much thought and effort had gone into developing the draft Local Plan, and the Council had stated that it wished to have development where it wanted it to be, and not simply on sites chosen by developers;
- This site was rejected in the 'first call for sites' and should be refused now;
- The Parish Council was not against building per se and 4 houses in the village had been recently approved, but planning rules should be upheld and development permitted in a way that would benefit the community;
- Distinctive communities should be maintained rather than allowing their identities to become blurred so that they all looked the same;
- Government cuts meant that councils were struggling to provide services and meet infrastructure needs. Economies of scale were needed and for the long term success of the region, the density of housing should be increased where there was the infrastructure to support it and not in rural areas;
- More building in the villages would mean more cars on the roads. The roads would become clogged up and people would waste hours sitting in traffic jams;
- If growth was in towns, people would have the choice of public transport, walking or cycling, thereby reducing the need for cars;
- Children in Ashley were currently going to school in Cheveley, but it was looking more likely that they would have to go further afield as Cheveley expanded. A village without access to school places was a very unattractive place. Growth here would not be sustainable.
- The application should be refused.

Councillor Rouse said that Councillor Howell's comments regarding sustainability suggested to him that she thought nobody should live in the countryside or in Ashley. This application would offer affordable housing and he asked her whether the village needed it. Councillor Howell replied that

Ashley had about 25% and the trick to living in the country was to leave it alone.

In response to a question from Councillor Goldsack, Councillor Howell confirmed that the current housing stock in the village stood at 245 dwellings.

The Chairman interjected to remind Members that the application was being recommended for refusal for Reason No. 1 only.

Councillor Smith believed the proposed houses would be in the wrong place and he supported the views expressed by Historic England. Whilst more affordable housing would be good, the village had to be protected.

Councillor Hunt felt this was a difficult decision because on the one hand there was a need for housing, but on the other, the Parish Councils knew what was going on in the villages and he set great weight on what they had to say. He thought this application would harm the Conservation Area and was nothing more than backfill development. Here was a truly English, truly beautiful area of countryside and it should not be destroyed. The proposal would cause an intrusion into some of the existing houses and the access to the development would become dangerous and the roads clogged. He was therefore minded to support the Officer's recommendation and would wish to put forward some additional wording.

Councillor Rouse agreed, saying that although the community would gain some affordable housing, it was a question of balance. Historic England was strongly against the proposal and significant weight should be given to their comments regarding the built form. He supported the recommendation for refusal.

Councillor Ambrose Smith noted that the proposal offered social housing opportunities, and some of the single storey properties in the scheme would be ideal for elderly residents. This was not much different from her village and she felt that a well thought out scheme would enhance the area.

The Chairman said he had not been compelled regarding the comments about growth in Ashley and such an approach could result in killing off settlements. There were some stunning properties in the vicinity of the site and the impact of the proposal would be significant. He too agreed with Historic England's viewpoint and supported the Officer's recommendation for refusal because of the impact on the Conservation Area.

Councillor Goldsack thought some compelling arguments had been put forward on both sides, but he was minded to agree with Historic England.

It was duly proposed by Councillor Hunt and seconded by Councillor Smith 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 vote against.

It was resolved:

That planning application reference 17/00387/OUM be REFUSED for reason No. 1 given in the Officer's report, with the addition of the following wording:

- Members believe the scheme would cause damage to the open vistas of the countryside.

70. 17/01171/OUT – 28 HIGH STREET, ASHLEY

Julie Barrow, Senior Planning Officer, presented a report (S105, previously circulated) which sought outline planning consent for 8 dwellings at 28 High Street, Ashley. Access, layout and scale were being considered with appearance and landscaping as reserved matters.

The proposal included the demolition of the existing dwelling (28 High Street) and the creation of an access road on the site of the dwelling, leading to 8 dwellings on paddock land to the rear. An area of open space was proposed in the eastern part of the site.

Amended plans had been received during the course of the application making changes to the road layout and construction, in response to comments made by the LHA and to address matters of layout and scale at this stage.

On a point of housekeeping, the Senior Planning Officer said that additional comments from a neighbour and the Parish Council had been circulated to Members.

The application site extended to approximately 0.8 hectares with the dwelling known as No. 28 and its immediate curtilage being located within the established settlement boundary. The remainder of the site was located outside the established settlement boundary. The area was primarily residential in nature with silverley Way, a modern residential development to the south. A footpath, the Icknield Way (an ancient trackway running from Norfolk to Wiltshire), ran alongside the northern boundary of the site and was separated from the site by an existing hedgerow and post and rail fencing.

It was noted that the application had been called in to Planning Committee by Councillor Peter Cresswell – *“In view of the strength of opposition to this application from Ashley Parish Council and local residents, I hereby request that it be ‘called in’ for determination by the Planning Committee”*.

A number of illustrations were displayed at the meeting. These included a map, an aerial image of the area, and an aerial image overlaid with the proposal.

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

- Principle of Development;
- Cultural heritage;
- Visual amenity;

- Residential amenity;
- Drainage and flood risk;
- Highways safety; and
- Ecology.

Members were reminded that the Council was unable to demonstrate an adequate five year supply of land for housing and therefore housing applications should be assessed in terms of the presumption in favour of sustainable development.

The proposal was effectively a form of backland development, but this application was for a comprehensive development with its own access point. It included areas of open space to break up the built form and create a sense of community within the development. The proposal was therefore considered to be in keeping with the form and pattern of development in this part of Ashley.

It would include the provision of an additional 7 dwellings to the District's housing stock, taking into account the demolition of No. 28, which would make a meaningful contribution towards the current housing shortfall. This attracted significant weight in the planning balance.

Members noted that a large portion of the site was within the Conservation Area and The Plough, a Grade II listed building, adjoined the eastern boundary. The Conservation Officer had considered the distance between the access road and The Plough and was content that any vehicular or construction traffic passing the building would not cause any damage.

The development would be highly visible from the public right of way and it would have an urbanising effect, bringing the built form closer to the right of way. However, there was a precedent for development in depth in this part of the village and the dwellings would sit against the back drop of the dwellings on Silverley Way.

In connection with residential amenity, it was considered that the proposal would not have a significantly detrimental impact on nearby and future occupiers. The layout submitted at this stage indicated that plot sizes accorded with the Design Guide SPD and that sufficient amenity space would be provided.

The site was located in Flood Zone 1 where the majority of residential development should be directed. A Flood Risk Assessment and Drainage Strategy had been submitted with the application, and a detailed surface water drainage scheme could be secured by condition.

The Local Highways Authority had raised no objections to the proposed scheme and it was noted that the site had sufficient space to park four vehicles in-line with policy COM8.

With regard to ecology, a Preliminary Ecology Appraisal was submitted with the application and further studies were commissioned following its findings. The proposed development was not considered to

significantly impact on ecology and concerns raised by the Trees Officer regarding landscaping could be addressed at the reserved matters stage.

At the invitation of the Chairman, Mr Simon Hull addressed the Committee and made the following points:

- He lived in the High Street, Ashley and was speaking principally on behalf of the immediate neighbours to the site;
- He wished to refer to a number of inconsistencies and omissions in the Officer's report for this site, which amounted in his view to grounds for refusal or at least deferral for further consideration;
- Historic England had not apparently been invited to comment, which was surprising given the extent of the Conservation Area covered by the application and their comments on the other case before the Committee. The Conservation Officer's comments did not argue for preservation of the Conservation Area and were limited to matters of layout and construction. They ignored or gave insufficient weight to many of the key points in the 2008 document;
- The Conservation Area should remain relevant and in force while the Local Plan was in abeyance;
- The Old Plough was immediately adjacent and the likely use and noise created on the development and open space proposed would disturb the environment and amenity of that business;
- The building at 28 High Street protected the back land from further development and should be retained for that purpose and to protect the vulnerable listed building of The Old Plough;
- The site was outside the development envelope, apart from the already developed frontage;
- The village had a predominantly rural character with a strong linear development pattern. Stubbins Hall Cottage was not listed but was one of the oldest dwellings in the village and it would probably be overlooked as would the other neighbours who enjoyed open views over the Conservation Area;
- The positive vistas from the Icknield Way were extensive and would be obscured materially;
- The long and narrow access drive would neither preserve nor enhance the character or appearance of the Conservation Area;
- Insufficient weight had been given to these objections;
- The Soil Survey of England described the soils in Ashley as 'Evesham type 411b' and not free draining, as suggested. It was surprising that no report had been sought from the Environment Agency and that the Lead Local Flood Authority did not wish to comment, given the known problems on other sites in this area;

- No strategy had been produced for connection to the main sewer nor to demonstrate capacity in the system from the point of entry onwards;
- There had been no logged comments in support of this application.

At the invitation of the Chairman, Ms Sophie Pain, agent, addressed the Committee and made the following remarks:

- The development would bring forward an additional 7 dwellings to the Council's housing stock and this attracted significant weight in the planning balance;
- She supported previous comments made regarding the Council's lack of a 5 year supply of land for housing;
- Access, layout and scale were being considered today. Comments regarding layout had been taken into account and open space to the west had been incorporated and the position of the proposed dwellings amended to maintain the views out into the countryside and to take into consideration the Conservation Area and listed building. The important views to the public right of way had also been taken into account;
- The heights of the proposed dwellings would be no higher than the listed building and the Conservation Officer had raised no concerns;
- The applicant had engaged in pre-application discussions, and with the Parish Council and residents, and their comments had been taken into account;
- On the advice of the Officer, the proposal had been reduced from 12 to 8 dwellings to reflect this part of Ashley;
- The Local Highways Authority had no concerns and the access road would be built to adoptable standards;
- There would be no substantial harm to the heritage assets or the character of the area.

In response to a question from Councillor Hunt, Ms Pain said that the road would be adopted from the front of the site and back to the turning head.

At the invitation of the Chairman, Parish Councillor Sarah Howell, Chairman of Ashley Parish Council, addressed the Committee and made the following points:

- The Parish Council strongly opposed the proposed development and was disappointed that the application was recommended for approval;
- An email letter had been sent on Friday of last week seeking deferral of the application as it was believed that the Council could now demonstrate a 5 year housing land supply. It would be entirely wrong if the application was assessed as though the 5 year housing land supply was not met;

- The Officer's report provided a detailed account of each of the rules which might or might not apply, but it did not allow one to see 'the wood for the trees';
- Planning policies were designed to ensure that development brought benefits for existing and future residents. To do that development had to be sustainable to make a long term positive contribution economically, socially and environmentally;
- There would be some short term economic benefits while the site was being developed, but they should be set against the cost of development in a rural location: the cost of providing facilities and services for people getting to and from work, reduced productivity as the region ground to a halt under the weight of traffic, the cost of the damage to the trade and business of The Plough, and the cost of providing services at a remote distance from ECDC;
- The social cost: children being sent in different directions to go to school, or not being able to attend the same school as their siblings, school overcrowding, parents being unable to work because of a lack of available child care; crime and its consequences, creating an isolated 'us and them' community in the middle of the village;
- The cost of damage and trade to The Plough needed to be taken into consideration and noisy children from the open space would not help the business;
- No social housing would be provided as the development would be pitched at a size under the required threshold;
- Noise and light pollution from cars;
- She was not a 'NIMBY' or revisionist, she was thinking about this for the long term, because once the dwellings were built, they were there forever;
- It was not viable to put these houses in Ashley. Such development should be concentrated into places where employment was close at hand, it could be supported by infrastructure and services so that car travel was minimised, the needs of the children were met and the heart of communities was enhanced.

Councillor Rouse asked Councillor Howell if she did not want any new development in Ashley and reminded her that the new build would bring some benefits, such as Community Infrastructure Levy (CIL) money. Councillor Howell replied that the village would be happy to have infill in the right places; with regard to CIL, no support had been suggested and there had been no discussions.

Councillor Cox noted Councillor Howell's point about the lack of social harmony and wondered if this would be due to newcomers moving into the village. Councillor Howell replied that it would be caused by the long access road to the site; going into the development would not be a welcoming experience and that community would be cut off from the village. Councillor Cox responded by saying that Ashley would benefit from 8 more dwellings.

Councillor Goldsack asked the Senior Planning Officer to comment on the involvement of Historic England in the previous application, and to explain why they had not commented on this case. She informed the Committee that they had commented on the other scheme because of the Church which was a Grade 1 listed building. For the majority of applications, the Authority relied on the expertise of the Conservation Officer and she would seek further advice if necessary. Councillor Goldsack said he was surprised that no comment had been sought from Historic England regarding the Icknield Way as it was of such historical importance. The Senior Planning Officer replied that it had been a judgement call by herself and the Conservation Officer regarding the impact on the historic environment. The Case Officer confirmed that the Public Rights of Way team at the County Council had been consulted in relation to the Icknield Way.

In proposing that the Officer's recommendation for approval be supported, Councillor Rouse said he could see why there had been so little development in the village over the last 16 years. While the development would not offer affordable housing, Members had been told that the scheme would offer the opportunity to self build. The proposal seemed to be consistent with the built form and the density of what was nearby and in the area, and the dwellings were needed. The Senior Planning Officer was to be commended for producing a very thorough and balanced report.

Councillor Hunt agreed with Councillor Rouse and duly seconded the motion for approval. He was delighted to learn that the road would be built to adoptable standards and there would be the benefit of CIL payments.

The Chairman said he was mindful of supporting approval on the basis of Councillors Rouse and Hunt's comments, but having been on the site visit, the location was even more beautiful than that of the last case. This development would be very isolated with a long roadway and he could understand the comments from objectors. Ashley needed growth but he was not convinced that this development was right. Having listened to local representations, he was tempted to support refusal.

Councillor Goldsack highlighted the lack of facilities and concurred with the Chairman, although he acknowledged that every aspect of East Cambridgeshire needed development; he too would support refusal of the application.

The Committee returned to the motion for approval and when put to the vote, it was declared carried, there being 5 votes for and 3 votes against.

It was resolved:

That planning application 17/01171/OUT be APPROVED subject to the recommended conditions as set out in the Officer's report.

There was a short comfort break between 3.45pm and 3.48pm.

71. 17/00422/OUT – 24 PRICKWILLOW ROAD, ISLEHAM, CB7 5RQ

Gareth Pritchard, Planning Officer, presented a report (S100, previously circulated) which sought outline planning permission for a 1.5 storey dwelling with associated works and cart lodge. The outline was for

access and scale with appearance, landscaping and layout being retained as reserved matters.

The site was located approximately 2.5 miles to the south of the established development framework for Isleham. It was characterised as being a paddock in the countryside and was located within Flood Zone 3.

It was noted that Councillor Derrick Beckett had called the application in to Planning Committee: ' In order to maintain consistency in planning decisions I would like to call this application in to Committee as several like application have been passed on Great Fen Road and Hasse Road recently.'

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.

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

- Principle of Development;
- Flood Risk;
- Visual Amenity;
- Residential Amenity; and
- Highway Safety.

With regard to the principle of development, it was considered that as the site was some 2.5 miles from the nearest settlement of Isleham with its limited local shops and services, it was in an unsustainable location, similar to the conclusions of the Inspector in recent appeal decisions. This formed a material consideration to be given significant weight in determining the application. Due to the lack of suitable facilities for non-motorised transport, trips would most likely take place by car.

The application site was located within Flood Zone 3, defined within the NPPF Planning Practice Guidance as having a 'high probability' of flooding. As the applicant had not submitted a Flood Risk Sequential Test, the Local Planning Authority (LPA) had considered the requirements of the Sequential Test. It was considered that there were a number of other reasonably available sites for the erection of a single dwelling within the Parish of Isleham which were at a lower probability flooding. Therefore the proposed dwelling was not necessary in this location and the application failed the Sequential Test for this reason.

Speaking next of visual amenity, the Planning Officer reminded Members that there was a small cluster of dwellings in close proximity to the site. They were typically single storey or 1.5 storeys in nature and so this proposal would be in keeping with them. The indicative block plan showed a scale that would not occupy the full width of the site, and as a result, it would still offer the views of the landscape beyond. On balance it was considered

that there would be no significantly detrimental impact visual and the proposal therefore complied with Local Plan Policy ENV2.

Given the relatively isolated nature of the proposal and the scale demonstrated, it was not considered that the dwelling would have a detrimental impact in terms of being overbearing, overlooking or causing a loss of light. It complied with the requirements of the Design Guide SPD and the application was therefore considered to comply with Policy ENV2 in this regard.

In connection with highways safety and parking provision, the Planning Officer stated that the Local Highways Authority had raised no objections to the proposal, subject to necessary conditions. Although the site was located along a 60 mph road, it was not felt that the addition of a single dwelling would compromise the safety and usability of the road. With regard to parking, the applicant had demonstrated how the proposal would allow for a minimum of two vehicles to be parked on site.

On balance, it was considered that the benefit of one new dwelling would be outweighed by the significant and demonstrable harm created by placing an additional dwelling within an unsustainable location. As the dwelling would be located in Flood Zone 3 it failed both the Sequential and Exception test and the application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Luke Hudson, applicant, and Mr Geoff Beel, agent, each addressed the Committee and made the following points:

Mr Hudson:

- He was 25 years old, a first time buyer, and he worked from home. He also helped his parents with their equestrian business and the only way he would ever own his own home would be to build it;
- The site was sustainable and formed a cluster of 6 dwellings the school bus picked up local children;
- The site had been gifted to him and he wished to stay close to his parents so that he could help look after the rare breeds;
- There was no need for him to commute and he fully understood about not having access to services and facilities. However, he could do this from the site by shopping online.

Mr Beel:

- The site was in Flood Zone 3, but it was very difficult to apply the Sequential Test to the fenland area of Cambridgeshire because the water could be pumped several times;
- The land was all below the high tidal level and large areas of land and property had been blighted by the Test. He appreciated that Officers had to apply the Test but it didn't make sense when the site was 20 – 30 miles from the sea and it was unacceptable when one looked at the drainage of the Fens and no defences had been taken into account;

- The site was sustainable, it was protected and there were significant engineering arguments to support the application;
- There would be community benefits to Mr Hudson living at home;
- Other developments had been approved and this site was at no greater risk than any of those.

The Chairman noted that measures would be taken to mitigate flood risk.

Councillor Goldsack asked whether the dwelling would be linked to Mr Hudson's business or a stand-alone building. Mr Beel replied it would be stand-alone and Mr Hudson confirmed that he would be happy to accept a condition linking it to his business.

Councillor Hunt advised that personal comments had no relevance in relation to the determination of a planning application. He wished to know if there was a culvert or a filled in ditch in the access; Mr Hudson replied that the access needed to be widened. The Chairman then asked if a condition requiring drainage details could be imposed if necessary. The Planning Manager stated that it could and that the Internal Drainage Board had not commented on the application. Mr Beel added that if this proposal was approved, drainage would have to be approved by the Local Highways Authority and the Internal Drainage Board at the full application stage.

Councillor Ambrose Smith said she was minded to support approval of the scheme because here was a young man and his family making a business at the location and taking steps to mitigate any flood risk.

Councillor Rouse congratulated Mr Hudson on a very persuasive case well put. The proposal would link in with the family business, everyone would be close together and would not interfere with anyone else. He too supported approval.

Councillor Cox concurred, but Councillor Goldsack said that while this was a very compelling case, he was worried the property could be sold the day after approval had been granted. He would be happier if the dwelling was linked to the business.

In response to a question from the Chairman, Councillor Hunt said he would wish to see drainage addressed at the reserved matters stage. He was also concerned regarding the quality of the road, saying it was dangerous and likening driving along it to being on a funfair ride. He would support approval of the application if the dwelling could be linked to the business.

The Planning Manager reminded Members that the application had been submitted as a market dwelling, and so it could not now be attributed as rural occupancy. The Committee had to assess what was before them today; a new application would be required if it was to be assessed as linked to the business.

It was proposed by Councillor Ambrose Smith and seconded by Councillor Rouse that the Officer's recommendation for refusal be rejected and the application be granted permission.

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

It was resolved:

That planning application reference 17/00422/OUT be APPROVED for the following reasons:

- The property will be located in a ribbon of existing properties; and
- Steps will be taken to mitigate the risk of flooding.

It was further resolved:

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

Councillor Ambrose Smith left the Chamber at 4.15pm.

72. 17/01089/OUT – LAND ADJACENT TO THE STYX, EYE HILL DROVE, SOHAM

Oli Haydon, Planning Officer, presented a report (S102), previously circulated) which sought outline planning permission for principle, access and layout for a dwelling on land adjacent to 'The Styx' at Eye Hill Drive. Appearance, landscaping and scale would remain reserved matters.

The site was located outside of the established development framework for Soham, and as such was considered to be in a countryside location where development was tightly controlled. It was located adjacent to the A142 to the west and Barcham Trees to the northeast and southeast. The surrounding area was primarily agricultural with sporadic housing along Eye Hill Drive leading to Barcham Road.

It was noted that the application had been called in to Planning Committee by Councillor Carol Sennitt, as it was believed that the site constituted a sustainable location with noise and highways issues being straightforward to overcome.

A number of illustrations were displayed at the meeting, including a map, an aerial view, the layout of the proposal and a photograph of the street scene at Eye Hill Drive.

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

- Principle of development;
- Visual amenity;
- Residential amenity;
- Highway Safety; and
- Noise impact.

The Planning Officer reminded Members that with regard to the principle of development, the Council's current inability to demonstrate an adequate five year supply of land for housing had been discussed at length and he would therefore not expand on this.

This site was approximately 1.5 miles from the services and facilities in the nearest settlement of Soham. It was in an isolated, rural location and was therefore considered to be in an unsustainable location for the erection of a new dwelling, similar to the conclusions of the Inspector in a recent appeal decision. This formed a material consideration to be given significant weight in determining the application.

Visual amenity remained a reserved matter, but the proposal was situated in existing garden land with an existing access and it followed the pattern of development along Eye Hill Drove. The introduction of a dwelling alongside the existing dwelling would, to a certain extent, result in an urbanising of the landscape, although it was not considered that it would be demonstrably harmful.

In terms of residential amenity, there could only be a limited assessment of overlooking or the proposal being overbearing at this stage as appearance and scale were reserved matters.

The application site was located 50 metres from the A142 and the applicant had submitted a Noise Impact Assessment for consideration by the Council's Environmental Health department. They found the principle acceptable as mitigation could be undertaken at the reserved matters stage in respect of windows, scale and boundary treatments.

The Local Highways Authority had raised no objections to the scheme, although they were concerned about the incremental development along Eye Hill Drove and the junction with the A142 was known as an accident cluster.

The Planning Officer concluded by saying that the benefit of one dwelling would be outweighed by the significant and demonstrable harm created by placing an additional dwelling within an unsustainable location.

At the invitation of the Chairman, Mr Malcolm Daines-Smith, agent, addressed the Committee and made the following points:

- The application had gone through the full pre-application process, and been reduced from two dwellings to one;
- The location had been moved as far away as possible from the road and noise could be mitigated by the design;
- Highways had no concerns;
- The application should not be refused, because the Council did not have a 5 year supply of housing land;

- Members had seen that The Styx was located at the junction with the A142. There was a bus stop within 80 metres, and the bus journey into Soham took only 5 minutes;
- New dwellings had been approved at Barcham and there were many dwellings in Soham where the bus stops were more than 80 metres away;
- The occupants of the dwelling would not be entirely reliant on a car;
- Environmental Health did not object to the proposal;
- If the application was to be approved, his client would be happy to have a footpath installed;
- The application should be viewed as fully sustainable and granted permission.

Councillor Hunt believed that this was another application which underlined the importance of site visits. Here was a huge site and the plans showed the dwelling would be away from the road and with a safe access. He thought the scheme was entirely suitable and duly proposed that the Officer's recommendation for refusal be rejected and the application be approved.

In seconding the motion, Councillor Goldsack said he did not think the argument for unsustainability stacked up.

Councillors Cox and Rouse agreed, with the latter saying that the property could be so well screened that there would be no visual impact.

When put to the vote,

It was resolved unanimously:

That planning application reference 17/01089/OUT be APPROVED for the following reasons:

- The Committee believes the proposal to be in a sustainable location; and
- The dwelling will be within an easy walk to a bus stop.

It was further resolved:

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

Councillor Ambrose Smith returned to the Chamber at 4.27pm.

At this point, the Chairman asked all present to note the slide which set out the five planning applications that shared common themes and issues:

- Item 7: 17/00639/FUL – Lotsend, Great Fen Road
- Item 9: 17/01159/OUT – Land North of 56 Great Fen Road
- Item 10: Land south of 57 Great Fen Road
- Item 12: Land between 37 – 38 Great Fen Road
- Item 13: Site North of 26 Great Fen Road

Rather than repeat those points for each individual application, the Case Officers would address them on a collective basis. However, there would be debate and a separate vote on each application.

Oli Haydon, Planning Officer, stated that all five applications were recommended for refusal on the two same grounds; they were considered to be in an unsustainable location due to the distance from the services and facilities of Soham, and due to harm caused by the increased risks as a result of an additional dwelling(s) within Flood Zone 3, despite there being reasonably available sites elsewhere with a lower probability of flooding.

An aerial image of the area was displayed which pinpointed the location of each application site along Great Fen Road.

Members were reminded that the main considerations in the determination of each application were as follows:

- Principle of development
- Flood risk
- Visual impact
- Residential amenity
- Highway safety

The sites were located outside of the established development framework of Soham, and approximately 4 miles from the services and facilities in the town.

They were all located in Flood Zone 3 and Flood Risk Assessments were submitted with the proposals. As the proposal failed to pass the Sequential Test, it was considered that they unnecessarily place dwellings in areas at significant risk of flooding. Furthermore, the applications failed to demonstrate that the dwellings would provide wider sustainability benefits to the community that would outweigh the flood risk.

73. 17/00639/FUL – LOTSEND, GREAT FEN ROAD, SOHAM

Gareth Pritchard, Planning Officer, presented his report (S101, previously circulated) which sought full permission for two single storey detached dwellings and associated garages.

It was noted that Councillor Carol Sennitt had called the application into Committee because she felt that there was a need for "Eco type" dwellings. Because of the remote location she feared it might be refused because of being unsustainable. She thought this application would add to the housing stock and should be considered at the planning meeting.

Several illustrations were displayed at the meeting. They included a block plan and the elevations of the proposal, and a photograph of the street scene.

The proposed development was consistent with the linear nature of this side of the road, and while there would be a certain level of urbanising, it was not considered to be significantly detrimental. Both dwellings would be of a similar scale to other dwellings along Great Fen Road.

Due to the location of the scheme in relation to neighbouring dwellings, it was not considered that there would be a significant loss of privacy as fenestration would be concentrated on the front and rear of the properties. It was therefore considered that the proposal would not have a significantly detrimental impact on residential amenity.

Members noted that the Local Highways Authority had raised no objections to the principle of the application, but had requested a number of necessary conditions which could be attached to any approval.

In summary, the Planning Officer said that while the proposal would bring the benefit of two new dwellings, this was outweighed by the significant and demonstrable harm created by placing additional dwellings within an unsustainable location. Furthermore, the dwellings failed both the Sequential and Exception Tests, as they would be located in Flood Zone 3.

The Chairman remarked that as Members travelled down to the site, they passed the run-down Chapel and School, and these were examples of what happened when a community dwindled.

Councillor Hunt responded by saying the buildings had closed down because of unsustainability. There was a dangerous junction and the condition of the road was very dangerous and totally unsuitable for vehicles such as school buses or the emergency services. The area was way outside any commercial activities, there were no shops and he believed that to permit further dwellings along the road would be grossly irresponsible.

Councillor Smith said the draft Local Plan gave weight to the area, but the Chairman reminded him that weight could not be given until the Plan proceeded to its next stage.

Councillor Rouse believed that the die had been cast because there were already a number of existing people and businesses there. The Authority had already given a number of permissions and would likely grant more; the alternative would be to take away all the buildings. However, despite the condition of the road if people wanted to live there, it was their choice. He believed that the application should be approved on the grounds of consistency.

Councillor Ambrose Smith concurred, adding that not everyone wanted to live in an urban setting. That being so, she acknowledged that Councillor Hunt had raised a serious point about the state of the roads.

Councillor Goldsack said that as a Ward Member, he agreed with much of what had been said. There had been a thriving community and businesses along Great Fen Road, and maybe it was time to complain about the condition of the roads.

The Chairman said he would not have been comfortable with the application if it had been for 20 – 30 houses, but it would simply be adding two dwellings in a ribbon development.

Councillor Cox said he would be in favour of approval as long as the flood risk could be mitigated.

It was proposed by Councillor Rouse and seconded by Councillor Ambrose Smith that the Officer's recommendation for refusal be rejected and the application be granted permission. When put to the vote, the motion was declared carried, there being 6 votes for and 2 votes against.

It was resolved:

That planning application 17/00639/FUL be APPROVED for the following reasons:

- There will be mitigation of the flood risk; and
- The Committee believes the location to be sustainable.

It was further resolved:

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

74. 17/01159/OUT – LAND NORTH EAST OF 56 GREAT FEN ROAD, SOHAM, CB7 5UH

Gareth Pritchard, Planning Officer, presented a report (S103, previously circulated) which sought permission for a dwelling on land north east of 56 Great Fen Road with access and scale to be determined at this time. Appearance, landscaping and layout would remain reserved matters.

The site was outside of the established development framework for Soham and as such, was considered to be in a countryside location where development was tightly controlled. It was in Flood Zone 3 and the surrounding area was considered to be primarily agricultural with sporadic housing located along the northern side of Great Fen Road.

It was noted that the application had come before Planning Committee at the discretion of the Planning Manager in the interests of consistency, as previous applications for similar developments on Great Fen Road had been called in to Committee.

Several illustrations were displayed at the meeting, including an indicative layout of the proposal and two photographs of the street scene.

The Planning Officer reiterated that appearance would be dealt with as a reserved matter, and as such, it was only possible to make a limited assessment of the visual impact of the proposal in terms of the design. The introduction of a two storey dwelling alongside the existing No. 56 would, to a certain extent, result in an urbanising of the landscape. However, as it was in keeping with the established linear character of development in the vicinity of the site, it was not considered to have a significant and demonstrable harm on the locale.

The application was not considered to result in a significantly detrimental harm to the residential amenity of nearby occupiers or future occupiers that could not be dealt with at the reserved matters stage. There was sufficient plot size and private amenity space and there would be scope within the layout to ensure an adequate separation from the neighbouring resident. There would also be minimal harm in terms of overbearing or loss of light.

Speaking of highways safety and parking, the Planning Officer said that the layout of the scheme could incorporate adequate parking and turning. The Local Highways Authority had not objected to the principle of the application but requested a number of necessary conditions that could be attached to any approval.

In summary, the Planning Officer said that the benefit of one new dwelling would be outweighed by the significant and demonstrable harm created by placing an additional dwelling within an unsustainable location. Furthermore, the dwelling would be in Flood Zone 3 and as such failed both the Sequential and Exception Tests.

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

- His speech would cover this and the next application;

The proposals were very similar to those of 59A Great Fen Road and Off Great Fen Road, both of which had been approved;
- The Council was currently unable to demonstrate an adequate five year supply of housing land, so the presumption should be in favour of sustainable development;
- The proposal would cause no visible harm or impact on residential amenity;
- Great Fen Road was a hamlet and known as Soham Fen;
- PL32 in the emerging Local plan stated that small scale development should be allowed and this was a sustainable location;
- There were three elements to sustainability in the National Planning Policy Framework, one of them being healthy communities. This application supported that element;

- Not everyone wanted to live in towns and there was less of a choice regarding modes of travel in rural areas. Therefore the reliance on a car carried limited weight. People worked from home and the school bus operated from here;
- A Flood Risk Assessment had been submitted with the application. The proposed site was in defended Zone 3, a floor level had been specified, and the Environment Agency had reviewed and accepted the details.

Councillor Hunt repeated his previous comments about the road and said it would be irresponsible to grant permission. Great Fen Road was dangerous, there was no footpath and it had a dangerous junction. He felt it would be embarking on a cavalier exercise to grant approval.

The Chairman observed that the Parish Council had objected to all the applications for Great Fen Road on the grounds that they were outside the development envelope.

Councillor Rouse made the point that some people wanted to live along Great Fen Road and an application such as this would give them the chance to live in a rural setting. He was minded to support approval of the scheme on the same grounds as the previous application.

The Chairman said this area had always been accepted as Soham Fen, and it was not as remote as Barway.

Councillor Goldsack commented that residents had said there would be an increase in traffic along the road because of the construction of the Ely Bypass. He agreed that the state of Great Fen Road was not good, but it was not as bad as Prickwillow Road, and besides which, people would not use the road if it was that dangerous.

In response to Councillor Cox's point about the mitigation of levels with the proposal being in Flood Zone 3, the Planning Manager replied that this would be secured at the reserved matters stage.

It was duly proposed by Councillor Rouse and seconded by Councillor Cox that the Officer's recommendation for refusal be rejected and the application be granted approval. When put to the vote, the motion was declared carried, there being 6 votes for and 2 votes against.

It was resolved:

That planning application 17/01159/OUT be APPROVED for the following reasons:

- There will be mitigation of the flood risk; and
- The Committee believes the location to be sustainable.

It was further resolved:

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

75. 17/01165/OUT – LAND SOUTH WEST OF 57 GREAT FEN ROAD, SOHAM

Gareth Pritchard, Planning Officer, presented a report (S104, previously circulated) which sought outline planning permission for principle, access and scale for a dwelling on land south west of 57 Great Fen Road. Appearance, landscaping and layout would remain reserved matters.

The site was outside of the established development framework for Soham and as such, was considered to be in a countryside location where development was tightly controlled. It was in Flood Zone 3 and the surrounding area was considered to be primarily agricultural with sporadic housing along the northern side of Great Fen Road.

It was noted that the scheme had been brought before the Committee for consistency, as previous applications for similar developments along Great Fen Road had been called in.

Several illustrations were displayed at the meeting, including a block plan of the proposal, and a photograph of the street scene.

Appearance would be dealt with at the reserved matters stage, and as such, only a limited assessment could be made of the visual impact of the design. The proposal would be in keeping with the established linear character of development in the vicinity of the site and it was considered that the harm caused as a result of built intrusion into the countryside would not be demonstrable.

The plot size and amenity space was sufficient and there would be scope within the layout to ensure adequate separation from the neighbouring resident. It was considered that there would be minimal harm to residential amenity in terms of overbearing or loss of light.

Members noted that the proposed layout could incorporate adequate parking and turning. The Local Highways Authority had not objected to the principle of the application but had requested a number of necessary conditions which could be attached to any approval.

The Planning Officer said the proposal would provide an additional residential dwelling to the Council's housing stock. However, the benefit of this would be outweighed by the significant and demonstrable harm which would be caused by the siting of another dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities. As the dwelling would be located in Flood Zone 3 the application had failed both the Sequential and Exception Tests.

Mr Andrew Fleet, agent, having registered to speak on this item, reiterated that his comments relating to the previous case also applied to this application; he did not wish to add any further points.

Councillor Hunt said he wished to make the same observations about the dangerous condition of Great Fen Road as he had for the previous planning application.

It was proposed by Councillor Rouse and seconded by Councillor Cox that the Officer's recommendation for refusal be rejected and the application be approved. When put to the vote, the motion was declared carried, there being 6 votes for and 2 votes against.

It was resolved:

That planning application reference 17/01165/OUT be APPROVED for the following reasons:

- There will be mitigation of the flood risk; and
- The Committee believes the location to be sustainable.

It was further resolved:

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

76. 17/01176/OUT – LAND BETWEEN 37 AND 38 GREAT FEN ROAD, SOHAM

Oli Haydon, Planning Officer, presented a report (S106, previously circulated) which sought outline planning permission for principle, access and scale for a two storey dwelling on land between 37 and 38 Great Fen Road. Appearance, landscaping and layout would remain reserved matters.

The site was located outside of the established development framework for Soham and as such was considered to be in a countryside location where development was tightly controlled. It was situated in Flood Zone 3 and the surrounding area was considered to be primarily agricultural with sporadic housing along the northern side of Great Fen Road.

It was noted that the application had been brought before Members for consistency as previous applications for similar developments along Great Fen Road had been called in to Planning Committee.

A number of illustrations were displayed at the meeting. They included a block plan of the proposal, and a photograph of the street scene.

The Planning Officer stated that appearance would be dealt with at the reserved matters stage and as such, there could only be a limited assessment of the visual impact of the proposal in terms of design. The harm caused as a result of built intrusion into the countryside was not considered demonstrable, and the dwelling would be in keeping with the established linear character of development in the vicinity of the site.

The plot size and amenity space was sufficient and there would be scope within the layout to ensure adequate separation from the neighbouring resident. It was considered that there would be minimal harm to residential amenity in terms of overbearing or loss of light.

With regard to highway safety, Members noted that the proposed layout could incorporate adequate parking and turning. The Local Highways Authority had not objected to the principle of the application but had requested a number of necessary conditions which could be attached to any approval.

The Planning Officer said that the proposal would provide an additional residential dwelling to the Council's housing stock. However, the benefit would be outweighed by the significant and demonstrable harm caused by the siting of another dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities. The proposal being located in Flood Zone 3, had failed both the Sequential and Exception Tests.

At the invitation of the Chairman, Mr Andrew Fleet, agent, addressed the Committee. He said his comments on the previous applications also applied to this one, but he wished to make two further points:

- PL32 of the emerging Local plan stated that small scale infill could be acceptable, and he felt that Great Fen Road could be the place for it;
- This development could be considered as infill between the two dwellings.

Mr Fleet also stated that additional land could be made available if the purchaser required it.

Councillor Rouse believed the site would make a good infill plot; he duly proposed that the Officer's recommendation for refusal be rejected and the application be granted permission.

Councillor Hunt said that in this case, he felt granting permission would be correct. However, his concerns regarding the state of the road remained and when it came to the vote, he would abstain.

Councillor Ambrose Smith seconded the motion for approval, which when put to the vote, was declared carried, there being 7 votes for and 1 abstention.

It was resolved:

That planning application reference 17/01176/OUT be APPROVED for the following reasons:

- There will be mitigation of the flood risks; and
- The Committee believes the location to be sustainable.

It was further resolved:

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

77. 17/01179/OUT – SITE NORTH OF 26 GREAT FEN ROAD, SOHAM

Oli Haydon, Planning Officer, presented a report (S107, previously circulated) which sought outline planning permission for principle, access and scale for a two storey dwelling on land north of 26 Great Fen Road. Appearance, landscaping and layout would remain as reserved matters.

The site was located outside of the established development framework for Soham and as such was considered to be in a countryside location where development was tightly controlled. It was situated in Flood Zone 3 and the surrounding area was considered to be primarily agricultural with sporadic housing along the northern side of Great Fen Road.

It was noted that the application had been brought before Members for consistency as previous applications for similar developments along Great Fen Road had been called in to Planning Committee.

A number of illustrations were displayed at the meeting, including an indicative layout of the site and a photograph of the street scene.

The Planning Officer said that as the points he had raised regarding the previous application also applied to this case, he would therefore not repeat them.

While this proposal would provide an additional residential dwelling to the Council's housing stock, the benefit would be outweighed by the significant and demonstrable harm caused by the siting of another dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities. The site was located in Flood Zone 3, and the application had failed both the Sequential and Exception Tests.

At this point the Chairman thanked the Planning Officers for presenting all the issues common to the five applications together. He thought it had been an eminently sensible way to deal with them and hoped that the agents and applicants would agree with him

Councillor Rouse concurred and added his thanks to the Officers, saying their approach had helped to expedite the meeting.

Councillor Rouse then proposed that the Officer's recommendation for refusal be rejected and the application be granted approval as he did not believe the dwelling would cause significant or demonstrable harm.

The motion was seconded by Councillor Ambrose Smith, and when put to the vote was declared carried, there being 6 votes for and 2 abstentions. Whereupon,

It was resolved:

That planning application reference 17/01179/OUT be APPROVED for the following reasons:

- There will be mitigation of the flood risks; and
- The Committee believes the location to be sustainable.

It was further resolved:

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

There was a short break between 5.05pm and 5.10pm

78. 17/01247/FUL – LAND ADJACENT TO 2 HOUGHTONS LANE, ISLEHAM

Richard Fitzjohn, Planning Officer, presented a report (S108, previously circulated) which sought consent for the erection of three detached bungalows and garages.

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

It was noted that the application would be determined by the Planning Committee, as it was understood that the Ward Councillor, Councillor Derrick Beckett, had a pecuniary interest in the application site. The previous application (reference 17/00222/FUL) had also been considered by the Planning Committee.

On a point of housekeeping, it was noted that an additional neighbour response had been received after publication of the agenda and this had been circulated to Members.

The Planning Officer stated that this application followed a recent refusal of permission by the Planning Committee for three dwellings on the application site; the reasons for that refusal were set out in paragraph 2.1 of his report.

The applicant and his agent had worked with the Authority to try and address the previous reasons for refusal, and this had resulted in the implementation of a different drainage strategy.

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

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

- Principle of development;
- Character and appearance of the area;
- Residential amenity;
- Highway safety and highway drainage;
- Flood risk and drainage;
- Ecology; and
- Archaeology.

With regard to the principle of development, Members were reminded of the Council's current inability to demonstrate an adequate five year supply of land for housing. The proposal was located adjacent to the established development framework for Isleham and was well related to existing residential properties. Houghtons Lane was a lightly trafficked, 30mph speed limit no-through road. The proposed development would provide a new footpath adjacent to the front of the application site, and this would connect to the existing footpath along a small section of Houghtons Lane.

Speaking of the impact on the character and appearance of the area, the Planning Officer stated that although the proposal would be visible within the surrounding rural landscape, the scale and design of the dwellings was in keeping with the adjacent bungalows. It was therefore considered that the proposal would not have a significantly detrimental impact.

In connection with residential amenity, the proposed bungalows were single storey and would be well distanced from neighbouring dwellings. Officers considered that 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. Future occupiers would enjoy a high standard of amenity.

The Local Highways Authority had recommended a highways surface water camera survey and the installation of new gullies connecting to the existing highways surface water system. The applicant's agent had confirmed in writing that the applicant agreed to this and the conditions could be appended to any grant of planning permission.

Other matters relating to ecology and archaeology could be secured by condition.

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

- With the last application, there had been consensus that the principle was acceptable, but there were concerns about the width of the carriage;
- The Council was currently unable to demonstrate a five year supply of housing land;
- Detailed meetings had been held with the Local Highways Authority regarding the issues and an agreed position had now been reached. The depth of the application site would be reduced so the width of the carriage and path could be incorporated;
- The proposed widening of the road and the provision of the footpath could be secured by means of a Grampian condition;
- The dwellings would not cause any harm and the scheme would improve the highway and drainage at the location;
- Improvements could be secured by means of a S278 agreement or similar, with an approved contractor and regime in place;
- The development would contribute to the District's housing supply.

The Chairman thanked the agent and applicant for having worked well together to find a solution to the issues.

In response to questions from Councillor Hunt, the Planning Officer stated that Highways currently owned the area of grass verge that would be used for the footpath. Mr Proctor stated that maintenance would fall to the LHA but discussions would be held regarding a maintenance agreement.

Councillor Goldsack noted that a lengthy list of issues had been received from the Parish Council, but there were none from the Ward Councillor and he asked whether this had been taken into consideration. The Planning Officer replied that all concerns had been addressed in his report.

Councillor Goldsack then asked whether the drainage was to be completed before the build commenced, as it was a very agricultural track.

The Chairman interjected to say that this was covered in condition 15 of the Officer's report. He then continued by proposing that the Officer's recommendation for approval be supported as the applicant had done what had been asked of him.

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

It was resolved unanimously:

That planning application reference 17/01247/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

79. 17/01304/VAR – TUNBRIDGE HALL, 60 TUNBRIDGE LANE, BOTTISHAM, CB25 9DU

Gareth Pritchard, Planning Officer, presented a report (S109, previously circulated) which sought consent to vary condition 1 of the previously permitted swimming pool house under 17/00454/FUL.

The application was previously determined at Planning Committee on 7th June 2017; the previous conditions for time limit, materials, ancillary use and archaeology remained unchanged.

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

The proposed changes to the building were a small increase in the height of the building by 0.02 metres on that previously approved. There was also an alteration to the location of the rear gable and an increase in the footprint (excluding the veranda) from approximately 36.64 square metres (previously approved) to approximately 45.76 square metres.

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

Members were reminded that the site was located within the established development framework for Bottisham and within the designated green belt. It was stepped back from the highway via a private access road.

The main considerations in the determination of this application were:

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

The Planning Officer said the proposed changes were not considered to be a significant deviation from that previously approved and the proposal was still proportionate to the host dwelling.

Given the location of the proposal and the neighbouring land uses, it was not considered that there would be a detrimental impact on residential amenity.

The proposed variation to condition 1 would still see the proposed building constructed in the same location within the plot. As a result it was

not considered to have a detrimental impact on the nearby hedgerow or trees.

As such the application was considered to comply with Local Plan Policy ENV7.

It was proposed by Councillor Cox and seconded by Councillor Ambrose Smith that the Officer's recommendation for approval be supported. When put to the vote,

It was resolved unanimously:

That planning application reference 17/01304/VAR be APPROVED subject to the conditions as set out in the Officer's report.

The meeting closed at 5.30pm.