



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held at 2:00pm on Wednesday 5<sup>th</sup> April 2023 in the Council Chamber at The Grange, Nutholt Lane, Ely, CB7 4EE.

### **PRESENT**

Cllr Christine Ambrose Smith  
Cllr David Ambrose Smith  
Cllr Lavinia Edwards  
Cllr Lis Every  
Cllr Bill Hunt (Chairman)  
Cllr Alec Jones  
Cllr Lisa Stubbs (Vice-Chairman)  
Cllr John Trapp  
Cllr Gareth Wilson

### **OFFICERS**

Maggie Camp – Director Legal Services  
Holly Chapman – Senior Planning Officer  
Tracy Couper – Democratic Services Manager  
Richard Fitzjohn – Planning Contractor  
Andrew Phillips – Planning Team Leader  
Angela Tyrrell – Senior Legal Assistant  
Adeel Younis – Legal Assistant

### **IN ATTENDANCE**

Rebecca Smith, Senior Planner, Vistry Housebuilding (Agent, Agenda Item 5 & 6/Minute 86 & 87)  
Mike Pettitt (Applicant, Agenda Item 7/Minute 88)  
Antony Smith (Agent, Agenda Item 7/Minute 88)  
Parish Cllr Richard Radcliffe (Parish Council, Agenda Item 7/Minute 88)  
Cllr Julia Huffer (Ward Councillor, Item 7/Minute 88)  
Cllr Ian Bovingdon

2 other members of the public

Lucy Flintham – Office Team Leader, Development Services

## **82. APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Cllrs Sue Austen and David Brown.

## **83. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**84. MINUTES**

The Committee received the Minutes of the meeting held on 1<sup>st</sup> March 2023.

It was resolved:

That the Minutes of the Planning Committee meeting held on 1<sup>st</sup> March 2023 be confirmed as a correct record and be signed by the Chairman.

**85. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- The meeting on 26<sup>th</sup> April will be held at St Mary's Church Hall, Ely, due to the Council Chamber being in use for Elections preparation. Timings are expected to be as usual – all details will be confirmed when the agenda is published (18<sup>th</sup> April).
- Anne James, Planning Consultant, had left the Council after over 5 years service. The Chairman stated that he had always found Anne to be a very efficient and hard-working officer and sent his best wishes to her for the future.

**86. 22/01045/VARM – LAND PARCEL NORTH AND WEST OF MILLFIELD PRIMARY SCHOOL, GRANGE LANE, LITTLEPORT**

Holly Chapman, Senior Planning Officer, presented a report (X190, previously circulated) recommending approval of an application seeking consent to vary the access details approved under outline consent ref 17/00757/ESO for a residential development of up to 680 dwellings and neighbourhood centre including associated infrastructure, public open space and landscaping.

The application proposals sought to remove the provision of the pedestrian footpath along Grange Lane in favour of an enhanced 3 metre (c.10 foot) wide shared pedestrian and cycle link to be provided further back into the site, set back from the carriageway edge. The site currently was under construction, with a number of dwellings built along the Grange Lane frontage and within the internal spine road (Whitworth Way). A number of the dwellings on-site also had been sold and were now occupied, meaning the development was in breach of a prior to occupation planning condition imposed upon the original 17/00757/ESO consent.

Members were shown site location plans, the phasing plan for the overall development and photographs and design plans for the proposed new alternative shared 3m pedestrian/cycle path. The Senior Planning Officer reported that this variation application was linked to the reserved matters application in the subsequent item and both needed to be considered concurrently at this meeting due to their inter-relationship.

The main considerations for the application were deemed to be:

- Impact on Pedestrian and cycle links;
- Impact on Bus provision to/within the site;
- Other Material Matters relating to Design, Landscaping, Ecology, Drainage

In summary:

- The proposed development was considered to support the delivery of a high-quality development proposal.
- The alternative adopted shared path along Grange Lane was not considered to jeopardise the ability for the scheme to deliver a safe and accessible pedestrian and cycle link, nor did it directly prevent the ability of the site to accommodate a diverted bus route within the development site itself.
- The proposed development was therefore considered to be acceptable in accordance with the policies contained within the East Cambridgeshire District Local Plan 2015 and within the National Planning Policy Framework.

For these reasons, the application was recommended for approval.

The Chairman invited the applicant's agent, Rebecca Smith, Senior Planner, Vistry Housebuilding, to address the Committee. She stated that the proposed alternative shared 3m pedestrian/cycle path was proposed due to technical difficulties associated with the realigned drainage ditch adjacent to the footpath making the original proposal prohibitively burdensome for the developer. Discussions with the local highway and drainage authorities had shown the proposal to be the best solution. The alternative shared 3m pedestrian/cycle path would be built to adoptable standard and subject to a revised S278 Agreement. However, it would also require removal of the original proposal for the provision of a bus stop along Grange Lane. Ms Smith emphasised that there was ongoing dialogue between all partners to ensure bus service provision onto the development.

The Chairman invited questions from Members and, as a result, it was confirmed that the intention was for the footpath/cycleway to be adopted via a S278 Agreement and further details were given of the proposed bus stop and shelters provision within the development. Members also asked how the footpath and ditch problem had not been picked up earlier. The Chairman commented that the site visit had demonstrated the need for a lighting column to be relocated to accommodate the revised 3m footpath/cycleway and it was confirmed that this would be addressed as part of the S278 Agreement. A Member queried if solar panelled bus information display boards for the bus stops were included in the design costs and it was reported that this could be considered. The Senior Planning Officer commented that some of the questions related to the subsequent item to be considered and the S106 included contributions for bus facilities/services. Members also asked why did footpath/cycle lane narrow.

The Chairman then invited questions to the Case Officer. The Chairman questioned the height of the fence between footpath and ditch and it was confirmed to be 1.2m high. Cllr Trapp asked where was the replacement hedge to be located and the Case Officer confirmed it was to the north of the footpath/cycle lane and the Council's Tree Officer was supportive of the proposal. Cllr Christine Ambrose-Smith questioned lighting details, to which the Case Officer responded that it would meet technical adoption standards.

During debate on the proposals, Councillor D Ambrose-Smith commented on the excellent design of the alternative shared 3m pedestrian/cycle path and expressed the view that this needed to be extended to include the proposed Yeomans Way footpath. Officers explained the constraints to achieving this due to a third-party ownership issue, and that the arrangement had already been approved by the

Council under the extant consents. In response to other queries, officers explained the arrangements for fencing and hedging of the footpath and drainage ditch.

A number of Members commented that the replacement pedestrian/cycle path was of a more acceptable design and therefore the officer recommendation for approval was proposed by Cllr Jones and seconded by Cllr C Ambrose Smith.

Councillor D Ambrose Smith reiterated his previous view as to the need to continue the excellent quality of design onto the Yeomans Way footpath for health and safety reasons, particularly due to likely access/usage by school children. Officers expressed the hope that there could be co-operation between the different parties to achieve this objective, though pointed out the difficulties given the footpath crossed other landownership and the footpath needed to be achievable to be adoptable. An additional recommendation on this matter then was put forward and accepted by the mover and seconder of the original motion.

It was resolved:

That planning application ref 22/01045/VARM be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer's report.

It was also resolved:

That Officers and the Developer be requested to explore the potential for improvements to the proposed Yeomans Way Footpath.

**87. 22/01378/VARM – LAND PARCEL NORTH AND WEST OF MILLFIELD PRIMARY SCHOOL, GRANGE LANE, LITTLEPORT**

Holly Chapman, Senior Planning Officer, presented a report (X191, previously circulated) recommending approval of an application seeking consent to vary the approved plans, landscaping details, external material details and boundary treatment details as approved under reserved matters consent ref 22/00472/RMM.

Specifically, the proposals sought the following minor material amendments to the approved reserved matters scheme:

- Update the approved plans to reflect the omission of the frontage footpath along Grange Lane (as proposed under LPA Ref. 22/01045/VARM linked to this application).
- Revised soft landscaping along the Grange Lane frontage following removal of the footpath from the proposals;
- Slight relocation of proposed street trees to avoid clashes with private and adoptable drainage pipes and adoptable street lighting columns;
- Removal of 6no. unallocated visitor parking spaces along the northern boundary of the Public Open Space (POS) LAP C area within the eastern section of the site;

- Slight increase in foul water pumping station and relocation of access point, with the north-west POS 2m footpath realigned;
- Plot 1 and 169 garages amended to add a temporary section to facilitate Linden and Bovis marketing suites;
- Slight adjustments to western boundary fencing line along plot 50, plot 59, plot 344, plot 345 to ensure this follows the estate boundary title plan;
- Updates to details on external road surfaces to match S38 Technical Approval from the Local Highway Authority;
- Material Plan updated to propose alternative to Red Brick 2 due to supply and build quality issues.

Members were again shown site location plans, the phasing plan for the overall development and photographs and design plans for the proposed new alternative shared 3m pedestrian/cycle path. The Senior Planning Officer highlighted that the reserved matters application was linked to the variation application now approved in the preceding item.

The main considerations for this application were deemed to be:

- Pedestrian and cycle links;
- Bus provision to/within the site;
- Other Material Matters relating to Design, Landscaping, Ecology, Drainage

Members' attention was drawn to the County Highways Transport Team concerns regarding the proposed bus turning arrangement in the private car park to the proposed Community Hub. However, the Senior Planning Officer highlighted that the internal bus route and turning arrangements previously had been found to be an acceptable solution to the Local Planning Authority and Local Highways Authority, and it was on this basis that the original consent was granted.

In summary, the proposals demonstrated:

- Delivery of a high-quality development;
- Alternative adopted shared path along Grange Lane providing a safe and accessible pedestrian/cycle link;
- Proposals to deliver an internal bus route and turning provision secured as part of the agreed Design Code and original reserved matters consent;
- Acceptable in terms of its impacts regarding highways and access; landscape and ecology; drainage and flood risk; and character and appearance.
- Compliance with the mandatory and advisory requirements of the Design Code underpinning the original reserved matters consent.

The application therefore was considered to be acceptable in accordance with the policies contained within the East Cambridgeshire District Local Plan 2015 and within the National Planning Policy Framework and was recommended for approval.

The Chairman again invited the applicant's agent, Rebecca Smith, Senior Planner, Vistry Housebuilding, to address the Committee. She stated that she had no additional comments to the preceding application, but would be happy to answer any questions.

Councillor Wilson expressed concerns at buses turning on non-adopted land and, whilst Ms Smith acknowledged these concerns, she stated that there had been extended discussions and negotiations to secure bus access to the development and it was hoped that all of the relevant parties would work together further along the line to secure a bus operator to provide a service into the development. In addition, the Senior Planning Officer highlighted that the arrangement complied with the design code and already had been agreed as part of the original consent, and was a condition upon the extant reserved matters consent.

Councillor Jones queried if the revised footpath planting scheme required delegated authority. The planning officers confirmed that minor changes required could be potentially achieved under a non-material amendment. However, Councillor D Ambrose Smith expressed concern at the removal of hedging from the front of the site and stated that sufficient replacement hedging to that removed should be secured via the conditions. The planning officers confirmed the landscape condition could be varied to allow for additional planting, for which the Chairman confirmed delegated powers could be given to officers. He also queried the drainage arrangements for the ditch and these were clarified by the Senior Planning Officer. Councillor C Ambrose Smith queried drainage, and the Senior Planning Officer stated that site drainage was dealt with via alternative SuDS and that the ditch was required for highway water.

Members commended the revised proposals and close working of the various parties to produce the best possible solution. Therefore, the officer recommendation for approval was proposed by Cllr Jones and seconded by Cllr Every. However, to give reassurance on the replacement hedging issue raised by Cllr D Ambrose Smith, Members also agreed that delegated authority should be given to officers to secure this.

It was resolved:

That planning application ref 22/01378/VARM be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer's report.

It was further resolved:

That authority be delegated to the Planning Manager/Planning Team Leader to revise Condition 6 relating to Soft Landscaping with regard to the provision of replacement hedge planting.

**88. 22/01433/OUT – SITE WEST OF 45 EAST FEN ROAD, ISLEHAM**

Richard Fitzjohn, Planning Contractor, presented a report (X192, previously circulated) recommending refusal of an application seeking outline permission for the access, layout and scale for the erection of four dwellings. Matters of appearance and landscaping were reserved at this stage. Members were shown site location plans, proposed access, site layout, scale, dwelling layouts and

indicative appearance. Members noted that a previous application for the site had been refused on 23 April 2020.

The main considerations for the application were deemed to be:

- Principle of development
- Residential amenity
- Visual amenity
- Historic environment
- Highway safety, parking provision and public right of way
- Biodiversity and trees
- Flood risk and drainage
- Other matters

In summary:

- The Council can demonstrate an adequate Five-Year Land Supply.
- The proposal is located outside of the development envelope of Isleham.
- The proposal is not located at one of the three market towns, where growth is directed to by policy GROWTH 2 of the East Cambridgeshire Local Plan 2015.
- The type of development is not one of the exceptions listed in policy GROWTH 2 of the East Cambridgeshire Local Plan 2015, or policies 1a and 2 of the Isleham Neighbourhood Plan.
- The proposal is therefore contrary to policy GROWTH 2 of the East Cambridgeshire Local Plan 2015, and policies 1a and 2 of the Isleham Neighbourhood Plan.

The Chairman invited the applicant, Mike Pettitt, and agent, Antony Smith, to speak. They highlighted that the applicant was a local person who was aware of the housing available in the village. Although extensive development was taking place there, these predominantly contained 3,4, & 5 Bed dwellings and not smaller properties/bungalows. Therefore, there was a need for 2 bed bungalows with a more modest purchase price, since there was no opportunity for people to downsize at present, particularly elderly persons wanting to remain in the village. The proposed bungalows would meet an identified local need for lifetime properties that no other developer was fulfilling and the site was located close to the amenities of the village. The application represented a simple infill development and the landscaping scheme allowed for a biodiversity net gain and would provide some economic benefit. For all of the above reasons, the application represented a sustainable development that should be supported.

The Chairman invited questions from Members to applicant/agent. Councillor Jones queried the availability of 2 bed bungalows in the village, proposed guide price for the application bungalows and impact on trees. It was stated that there was one 2 bed bungalow on the market in the village, the proposed guide price for the application bungalows would be £275K to £375K and the developer might look to protect and pay towards pond improvements. Cllr Trapp asked about the Neighbourhood Plan to which the developer responded that there were no sites coming forward in Neighbourhood Plan for bungalows.

The Chairman then invited the Parish Council representative Councillor Radcliffe to speak. He expressed concern at the waste of resources in considering this application, since a similar application had been refused in 2020. He highlighted that the village had an adopted Neighbourhood Plan and this application was

clearly outside the development envelope. He refuted the view that this was a simple infill development to meet the needs of an ageing population with no impact on the amenity of the local area, since there were no properties to the west or east of the site, it did not accord with the Neighbourhood Plan and did not meet any of the exception criteria. It would not have a positive impact on the local area, was not affordable housing and would not enhance the countryside character. For all of these reasons, he supported the recommendation for refusal.

The Chairman invited questions from Members to Councillor Radcliffe. Councillor C Ambrose Smith asked about proposed affordable housing/Community Land Trusts provision in the village and it was stated that 45 dwellings were proposed via a local Almshouse Charity/Housing Association, with some bungalows. Councillor Trapp referred to the Neighbourhood Plan/extensive level of development taking place in the village and Councillor Radcliffe emphasised that there were more than adequate development sites for the village, via those given approval and already commenced.

Councillor Huffer then spoke as a local Ward Member. She commented that the application should not have been submitted to this Committee for consideration, as it was outside the village envelope and not well served by local amenities. She highlighted the local schools issues and the fact that, as this was an outline application, there was no guarantee that 2 bed bungalows would be constructed on the site and that the Neighbourhood Plan should be supported. She urged the Committee to have regard to Cllr Radcliffe's comments on the detrimental impact of the application.

Councillor Trapp asked Councillor Huffer to comment on the provision for development for the village in the Neighbourhood Plan. She stated that this was very high for such a small village with a school that was full and roads at capacity. Councillor Stubbs queried why the application had been submitted to the Committee and the Case Officer and Planning Team Leader explained that this was a matter of interpretation of the Council's Constitution.

Councillor Wilson highlighted that the application was against the Neighbourhood Plan, which villages were encouraged to prepare, and took considerable commitment, resources and local consultation to do so. It reflected the knowledge and advice of local people. Therefore, he supported the recommendation for refusal. These concerns were supported by Cllrs Trapp, D Ambrose Smith and Stubbs

The recommendation for refusal then was proposed by the Chairman and seconded by Cllr Wilson.

Members of the Committee concurred with the views expressed by Councillor Wilson on the importance of having regard to the Neighbourhood Plan.

It was resolved unanimously:

That planning application ref 22/01433/OUT be REFUSED for the reasons detailed in paragraph 1.1 of the Officer's report.

**89. PLANNING PERFORMANCE REPORT – FEBRUARY 2023**

Andrew Phillips, Planning Team Leader, presented a report (X193, previously circulated) summarising the performance of the Planning Department in February 2023.

It was resolved unanimously:

That the Planning Performance Report for February 2023 be noted.

*The meeting concluded at 4.08pm.*

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