



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange,
Nutholt Lane, Ely on Wednesday, 1st August 2018
at 2.00pm

P R E S E N T

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

OFFICERS

Maggie Camp – Legal Services Manager
Richard Fitzjohn – Planning Officer
Oli Haydon – Planning Officer
Catherine Looper – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Senior Planning Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Allen Alderson
Councillor Richard Hobbs
Approximately 21 members of the public

27. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillor Sue Austen.

It was noted that Councillor Whelan would substitute for Councillor Austen for the duration of the meeting.

28. DECLARATIONS OF INTEREST

Councillor Goldsack declared a personal interest in Agenda Item No.7 (18/00363/OUM, Land Accessed Between 2 and 4 Fordham Road, Isleham), being Chairman of the Trustees of The Beeches, which was next to the application site.

Councillor Hunt declared an interest in Agenda Item No.11 (18/00707/VAR3M, Site South East of former Bowling Alley, The Dock, Ely), being Chairman of the ECDC Asset Development Committee. He said he would speak from the public gallery in support of the application, and then leave the Council Chamber prior to the discussion and voting on the item.

29. MINUTES

Further to Minute No. 22 (18/00378/FUL, 30 Cambridge Road, Ely, CB7 4HL), Councillor Hunt noted that the Minutes did not show that he vacated the Chamber after exhausting his allocated 5 minutes of speaking time (page 7 refers), or that he returned to the Chamber following determination of the application (page 9 refers). He duly requested that the Minutes be amended to reflect this.

It was resolved:

That subject to the agreed amendments, the Minutes of the Planning Committee meeting held on 4th July 2018 be confirmed as a correct record and signed by the Chairman.

30. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- There was now new National Planning Policy Guidance, and the document contained some additional comments and changes that were different to what was in the published reports. Officers would point out the changes during their presentations;
- The Inspector's first comments on the submitted Local Plan had been received and would be tabled at the relevant meeting;
- The order of agenda would be changed to take Item No 7 (18/00363/OUM, Land Accessed Between 2 and 4 Fordham Road, Isleham) as soon as Parish Councillor Preece had arrived;
- Councillor Whelan was welcomed to her first meeting of the Planning Committee as a Substitute Member.

31. 17/01857/FUL – LAND NORTH OF 14 NEW RIVER BANK, LITTLEPORT

Oli Haydon, Planning Officer, presented a report (reference T68, previously circulated) which sought consent for the construction of a four bedroom house on land north of 14 New River Bank, Littleport. The proposed development featured a wildlife pond, vegetable beds, a fruit orchard and a raised platform on which to site the contemporary building.

On a point of housekeeping, Members were asked to note the recent release of the 2018 National Planning Policy Framework. Whilst many of the

key principles of the 2012 document remained, there were some differences which would be outlined where relevant to the proposal.

In the light of the amended numbering within the NPPF, a table setting out the differences in the numbering and an amended set of reasons for refusal of the application were tabled at the meeting.

The site was an open field between Riverside Farm and the dwelling at Number 14, in Flood Zone 3 and located outside the development envelope for Littleport.

It was noted that the application had been called in to Planning Committee by Councillor David Ambrose Smith as *“this parcel of land, which sits on the roadside between a domestic dwelling and an agricultural dwelling, is not suitable for farming as it is not accessible to large machinery, and has become vulnerable to fly tipping and unauthorised occupation. Whilst I appreciate that this parcel of land is outside the development envelope, the application submitted is for a contemporary Eco Home for the family to live in, and I believe the application meets the requirements of Para 55 of the NPPF to provide a property of high quality and innovative design which is classified as 'special circumstances'. Littleport Parish Council have no objections to this contemporary home”*.

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

The main considerations in the determination of the application were:

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

With regard to the principle of development, it was noted that the Council could not currently demonstrate a five year supply of land for housing and therefore the presumption should be in favour of sustainable development unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.

Members were reminded that paragraph 55 of the NPPF stated that isolated homes in the countryside should be avoided unless there were special circumstances. With the site being 0.5 miles from Littleport and a further 1 mile from the main services and facilities on offer in the town, it was considered to be in an unsustainable location for the erection of a new dwelling.

The applicant had put forward a case to demonstrate that “special circumstances” had been met, but Officers considered that the proposal did not represent a significant enhancement, exceptional circumstance or

degree of innovation to counterbalance the harm caused by the siting of a dwelling in an unsustainable location.

In terms of visual impact, the site was currently a vacant agricultural field with a contribution to the agricultural and rural aesthetic of the landscape. While the proposal would only occupy a third of the plot size, it was considered that the erection of an additional dwelling would create an urbanising impact which would erode the predominantly rural open character of the area. Furthermore, it would be visually intrusive and impact on the far reaching countryside views.

Although the site was located within Flood Zone 3, the Environment Agency had raised no objections to the flood risk assessment. However, the applicant had not submitted a Flood Risk Sequential Test and the Local Planning Authority (LPA) therefore considered the requirements of the Test in its absence. There were a number of allocated sites for housing within the Parish of Littleport and a number of planning applications for new dwellings had recently been approved in more sustainable locations within the Parish which were at a lower probability of flooding. It was duly considered that the proposed additional dwelling was not necessary in this location and the application failed the Sequential test for this reason.

In connection with residential amenity, it was noted that the proposed dwelling would be sufficiently distanced from any neighbouring residential properties such that there would be no loss of amenity from overlooking. The isolation of the site from neighbouring development would result in an acceptable level of overbearing and minimal loss of light.

Speaking of other material considerations, the Planning Officer said that the Local Highways Authority had raised no objections; substantial ecological enhancements were proposed and no trees on site would be impacted.

At the invitation of the Chairman, Mr John Goodge, agent, addressed the Committee and made the following points:

- The reasons for refusal had not altered with regard to the new NPPF;
- The only unsustainable aspect of the location was the suitability of the site for its current agricultural use;
- A new use had to be found for this vacant site to avoid fly tipping and illegal occupation;
- Mains services were available for connection to the site;
- The footpaths along the river banks opposite were constantly used by leisure walkers and there were no hazards for pedestrian traffic
- Future residents would not be reliant on motor vehicles and there were other dwellings within the village envelope that were further away from the centre;
- It would not be possible to eliminate the use of private vehicles due to the lack of public transport;

- A great deal of thought and expertise had gone into the design of the application. The shape and construction would reflect the agricultural aspect, with clean lines and zero maintenance finishes;
- The construction elements would be fabricated off site so as to reduce material wastage and transport miles;
- The proposal sought to promote sustainable development. The PV panels and domestic scale wind turbine would produce enough power for the house and Mrs Miller's car, as well as putting power back into the National Grid during times of low demand;
- This development would be effectively self-sufficient in terms of energy and services;
- Although the development would be in Flood Zone 3, robust measures had been put in place and no flooding of note had taken place since the winter of 1947. The Environment Agency were already managing the flood risk effectively.

At this point, the Chairman informed Mr Goodge that he had exhausted his allocated 5 minutes of speaking time.

In response to a question from Councillor Hunt, Mr Goodge explained that the wind turbine would be of a domestic size and it would be the subject of a further application.

It was noted that Councillor David Ambrose Smith, a Ward Member, was unable to attend the meeting and had asked for a statement to be read out in his absence. With the permission of the Chairman, the Democratic Services Officer read out the following:

"I believe that this proposed development is in a sustainable location. It is within easy walking/cycling distance, via the road or the footpath along the river bank, over Littleport Bridge to Littleport Rail Station, bus stops and the town centre. In the other direction services can be accessed via Sandhill Bridge (adjacent to the Swan on the River Pub), Victoria Street & the town centre.

There are numerous residential properties along New River Bank and I don't believe that the residents consider themselves to be other than living within Littleport. The site is large enough to comfortably accommodate this large family home with family & visitor vehicles and provides turning room to easily enter & leave the property in forward gear.

This proposed design incorporates many eco features to make it a sustainable home using the least amount of power and to cause the least amount of harm to the environment. Therefore I believe it can be an exemption as detailed in various documents, as it is outside the development envelope.

The housing stock along New River Bank represents everything from ancient farmworker cottages now extended & modernized, to a relatively new build, albeit on the site of previous dwellings. There is livestock business activity also along this road. This proposed Eco Home will enhance the street scene rather than detract from it. The design also references agricultural buildings within the area.

The Environment Agency & the local Drainage Board have withdrawn objections to this development, and Littleport Parish Council did not feel the need to comment in any way.

This family home will also accommodate Mrs Millar's parents as & when they need some measure of care, thereby freeing up a local property for another family and potentially becoming less of a social care burden. It provides an occasional home for their adult children who work out of the district.

Not everyone is a great fan of 'modern design' but at some stage Georgian, Victorian & 1930's homes were considered modern, so I feel that we should not turn our backs on a design which to some eyes is thought to be 'not like everything else'. I would ask the committee to support approval of this application."

Councillor Goldsack noted that the Planning Officer had some reservations regarding the design of the proposal, despite the significant number of eco factors. The Planning Officer responded, saying that there were a number of circumstances detailed in paragraph 79 of the NPPF, one or more of which an isolated home in the countryside had to satisfy. He did not feel that the proposal met the "exceptional quality" standard and no supplementary information had been provided to support it.

In the interests of clarification, the Planning Manager read out paragraph 79(e):

The design is of exceptional quality, in that it:

- *Is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- *Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

Councillor Cox said he was unsure about the special nature of the proposal, as he believed it to be fenland vernacular. However, he was concerned about sustainability as the site was not significantly outside the town. The Planning Officer replied that this had been included in his report and was continued for the purposes of consistency and in accordance with previous Planning Inspectorates decisions on appeals.

Councillor Christine Ambrose Smith took issue with the photograph of the street scene as the view did not show the considerable number of houses that Members had been passed on the site visit. She acknowledged that beauty was in the eye of the beholder, but the proposal referenced agricultural buildings and she wondered why it was considered to be out of place. The Planning Officer agreed that there was sporadic development, but the linear nature of development in the area and the open countryside beyond had to be protected. It was more about the visual intrusion in that space and the erosion of the openness.

Councillor Goldsack felt it was good that the application had come to Committee because it had raised an interesting view about sustainability. He believed it came down to the visual impact and intrusiveness of the proposal and he was minded to support the local Members.

Referring to the second paragraph of the Officer's recommendation for refusal, Councillor Beckett said he did not believe this was the place for a dwelling because of the wide vista of the fen countryside. Councillor Smith agreed, adding that there was no point in having policies if Members did not abide by them.

Councillor Chaplin said it would not be economic to farm the land; if permission was refused, it would become uncultivated and a home for fly tipping and the view would not be protected.

Councillor Hunt thought things must be pretty desperate if Members were to grant planning permission in order to prevent fly tipping. It seemed to him to be pointless to have policies and plans and then ignore them. An exemplar dwelling should be truly exceptional and he did not think this one was.

The Chairman reminded the Committee that with regard to flood risk, one could not mitigate against the Sequential Test regardless of any mitigation measures in place and that all development should be directed to Flood Zone 1.

Councillor Christine Ambrose Smith stated that there was nowhere in Littleport where such a dwelling could be located.

In proposing that the Officer's recommendation for refusal be supported, Councillor Edwards said she thought the location to be unsustainable and the footpath on the river bank was dangerous due to the lack of street lighting.

The motion was seconded by Councillor Hunt, and when put to the vote, was declared carried with there being 6 votes for and 4 votes against. Whereupon,

It was resolved:

That planning application reference 17/01857/FUL be REFUSED for the reasons, in the light of the NPPF, as tabled at the meeting.

32. 18/00276/FUL – 26 MILL STREET, ISLEHAM, CB7 5RY

Oli Haydon, Planning Officer presented a report (reference T69, previously circulated) which sought consent for a replacement dwelling, annexe and triple car port at 26 Mill Street, Isleham.

The site was located within the development envelope and Conservation Area for Isleham, to the rear of the large detached dwelling at 24 Mill Street.

It was noted that the application had been called in to Planning Committee by Councillor Beckett *"because of its visibility from the recreation ground. Also possible overlooking neighbouring properties."*

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

The proposal was within the defined development envelope for Isleham and in close proximity to the services and facilities on offer in the village. As such the principle of development was considered acceptable. The annexe element was incorporated well into the main dwelling and by virtue of its physical connection, subordination in size, and proximity to the main dwelling, would not be tantamount to the creation of a separate dwelling.

The Planning Officer stated that the proposed dwelling represented a significant increase in width, depth and footprint from the existing dwelling. However, the plot size for the development was substantial and well within the recommended plot coverage of 33% as cited in the SPD Design Guide 2012. The site was widely screened from Mill Street and the visibility of the structure would remain largely obscured from any public view. It was considered that the overall visual impact of the proposal would not lead to a significant level of harm to the character and appearance of the area. It was also noted that the Conservation Officer had raised no concerns.

With regard to residential amenity, the SPD Design Guide 2012 recommended a separation distance of 20 metres. The proposal had the potential to overlook the neighbouring resident at 24 Mill Street and this matter had been given significant consideration. Whilst a level of harm would be caused, it was not considered to be significant and demonstrable due to the separation distance between windows exceeding 35 metres and the positioning of a 5 metres high carport between the two dwellings.

Speaking of other material considerations, the Planning Officer said the Local Highways Authority had raised no concerns with the proposal. It was expected that there would be a minimal impact on biodiversity and any enhancements would be secured by condition.

At the invitation of the Chairman, Mr Paul Wilson, resident of 24 Mill Street, Isleham, addressed the Committee and made the following points:

- His family had lived there for some 34 years and during that time they had not been overlooked from the direction of No. 26;
- His main reason for wishing to speak at Committee was to highlight the overlooking and loss of privacy that would affect his property. The invasive sight lines from the proposal would invade the fully glazed rear elevation and garden;
- He had commented on the various aspects of the application, but it was the overlooking and loss of privacy that were most important to him;
- ECDC's guidance documents did not indicate a minimum or maximum separation distance between properties. The 10 metre/20 metre distance indicated in the Officer's report only appeared in the ECDC adopted SPD Design Guide;
- He was not opposed to a replacement dwelling, just the invasive sight-lines of the proposed glazed elevations that would overlook his property;
- Isleham Parish Council had also identified the overlooking and loss of privacy in their consultee response;

- He had been proactive in making a number of suggestions to the Planning Officer for an alternative replacement dwelling design. These included replacement of the dwelling with a bungalow, rotating the proposal 90 degrees or increasing the length of the car port.
- It was disappointing that the architect and client had not been sympathetic to the impact of the proposal on his property;
- Permitted Development rights were not relevant in the consideration of the proposal;
- He thanked Councillor Beckett for calling the application in to Committee and hoped that Members would not approve it.

Councillor Ambrose Smith noted that Mr Wilson had a very high level glazed window in his property and she asked him if he had not thought about overlooking when it was built. Mr Wilson replied that he had, but at that time he was not overlooked and the window was too high to overlook the plot to the rear.

At the invitation of the Chairman, Mr Adrian Fleet, agent, addressed the Committee and made the following comments:

- The proposal complied with local and national policy;
- He wished to reinforce that the development would sit lower than all the surrounding properties and have a separation distance of more than 20 metres;
- It would be a contemporary design of local vernacular and had taken inspiration from No. 24 Mill Street;
- The dwelling would only be viewable within the site;
- The design would respond positively and would sit harmoniously in its surroundings;
- His clients wanted to build a family home on the site so that they could stay in the area;
- It would be a multi-generational home.

At the request of Councillor Smith, the Planning Officer again displayed the slide which indicated the height of the proposal in comparison to the existing properties.

There being no further questions or comments, it was proposed by Councillor Hunt and seconded by Councillor Cox that the Officer's recommendation for approval be supported. When put to the vote,

It was resolved unanimously:

That planning application reference 18/00276/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

33. 18/00363/OUM – LAND ACCESSED BETWEEN 2 AND 4 FORDHAM ROAD, ISLEHAM

The Chairman said that he would depart from usual procedure to permit Members to ask questions of Mr Geoff Elwood, County Highways, before the Senior Planning Officer presented the application.

Councillor Goldsack commenced by noting that when the application was discussed, there had been a variety of speed safety measures proposed, and yet Highways had said they were not needed. The Parish Council had commented on the impact of the development on traffic movements and felt that additional traffic calming was required. He therefore wished to know why the opportunity was not being taken to make the road safer.

Mr Elwood replied that the County Council had not objected to the features but they were not needed for the development. The speed of the traffic was an existing problem and the features would just be a betterment. The Planning Manager added that with regard to the legal agreement, the speed calming had to be necessary; from a Highways perspective, this development did not need it.

At the request of the Chairman, Mr Elwood explained about the assessments that had been conducted. He said they were worked out by computer aided design on the basis of 0.2 cars per dwelling during peak hours. As the prediction fell below 100 vehicles to the right hand turn, no other measures were required.

Councillor Beckett said that the majority of vehicles using the road travelled in excess of 40 mph and some at 50 mph. There were worries about a development in this location because of the perceived danger. Whilst the original traffic calming features were over the top, the Parish Council was prepared to work with the developers to find a middle ground for safety measures. Mr Elwood replied that the road was a 30mph zone and the applicant should not be used as the vehicle to put in measures. However, he would be happy to discuss matters, but outside of this application.

Councillor Goldsack made the point that the increased numbers of vehicles would pass Fordham Primary School and this was already an area of great concern; in the light of this, the safety aspects should be re-thought.

Councillor Beckett questioned why the existing problems, which would become worse, could not be mitigated. Mr Elwood said the speed of the road could be improved, but not by such severe measures as had been put forward.

At this point, Andrew Phillips, Senior Planning Officer, then presented his report (reference T70, previously circulated) which sought consent for up to 125 dwellings, open space, extension to recreational ground, sustainable drainage, a foul water pumping station and land to be reserved for a children's nursery. Detailed consent for access was being sought at this stage and if approved, the details of appearance, landscape, layout and scale would need to be agreed during a reserved matters application.

Tabled at the meeting was a sheet which set out the new relevant chapters of the NPPF 2018 and the key elements with regard to the planning application; it also detailed a number of updates and minor corrections to the Senior Planning Officer's report.

The site was located outside of (though adjacent to) the village framework. Isleham Recreation Ground was to the east of the site, with residential dwellings to the north and west. There were industrial units to the south-west on Hall Barn Road and to the south was Fordham Road (30 mph speed limit) onto which this site proposed to connect.

It was noted that the application had been brought to Planning Committee, as required by the Council's Constitution

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

The main considerations in the determination of the application were:

- Principle;
- Sustainability;
- Highway Safety and Capacity;
- Residential Amenity;
- Visual Impact;
- Housing Mix;
- Ecology;
- Flood Risk and Drainage; and
- Contributions.

With regard to the principle of development, it was noted that the Council could not currently demonstrate a five year supply of land for housing and therefore the presumption should be in favour of sustainable development unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.

The site had been allocated under the Submitted Local Plan 2017 (ISL.H4) for approximately 125 dwellings, but the Senior Planning Officer reiterated that the site allocation boundary was bigger than what had been applied for and that additional applications might be submitted.

In terms of sustainability, the village of Isleham was relatively remote, but did benefit from several pubs, a village shop, a primary school, recreation ground and several churches. The proposal would provide land reserved for a new nursery; it would pay CIL that could be used to upgrade the Staploe Medical Centre; 1.18 hectares of land to the Parish Council to be used as recreation ground and up to 125 dwellings, including 30% affordable housing with local people having priority.

Turning next to highway safety and capacity, Members were reminded that the developer sought to satisfy the wish of the Parish Council to slow

down the traffic along Fordham Road by providing traffic calming measures. Whilst deemed acceptable having passed a County Council Safety Audit, concerns were raised that the measures might push more traffic to go through the village via Hall Barn Road. While this would be acceptable in planning terms, the developer decided to remove all the traffic calming measures so as to overcome the concerns raised.

The Local Highways Authority stated that the proposal was acceptable. The Transport Team had considered the information and concluded that it had no objection to the proposal nor did it seek contributions or improvements as it could not justify them.

The Senior Planning Officer reminded the Committee that with only access being considered at this stage, it was not possible to demonstrate the impact of the proposal on residential amenity. However, it was possible to assess the proposal on its maximum density and the back to back distances the developer was suggesting.

The scheme had a net density of approximately 30 dwellings per hectare (if the end scheme was for 125 dwellings), which was modest. The vast majority of the development was set away from the industrial units along Hall Barn Road, and from the information provided, it appeared that they would provide very little noise towards the development site. It was also unlikely that any future industrial units would cause detrimental noise pollution if designed appropriately.

The Ministry of Defence had no objections to the proposal and an informative would be added to any consent to warn future buyers about the military aircraft flying over the site.

It was noted that the development would be contained within the existing physical boundary of the village and the dwellings would be the same height range as the surrounding properties. The landscape would be tie in with the formal adjacent recreation ground. Any impact on historical environment would be outweighed by public benefits.

At this stage, the housing mix was indicative but the developer was proposing 30% affordable housing, 5% self-build and at least 5% bungalows.

The Senior Planning Officer stated that biodiversity could be protected and enhanced measures secured by conditions. The Environment Agency, Lead Local Flood Authority and Anglian Water were all supportive of the application subject to suitable conditions. Anglian Water had also confirmed that there was sewer capacity, subject to a foul water drainage condition being added.

Paragraph 7.81 of the Officer's report set out the list of contributions that the developer was offering in the draft S106 Agreement.

At the invitation of the Chairman, Mr Paul Belton, agent, addressed the Committee and made the following remarks:

- This application related to the draft allocation "Isleham 4". It had been positively identified as a more sustainable location and had been the subject of extensive pre-application consultation;

- The developer was seeking outline permission for a scheme that would bring enhanced benefits, including a gift of land to extend the Recreation Ground which would provide informal and children's space and an early years nursery;
- The Council could not currently demonstrate a 5 year supply of land for housing, so housing numbers needed to be boosted. This was a Plan-led submission which would help to address the shortfall;
- None of the technical consultees had objected to the proposal;
- This was not a speculative application but was plan-led
- The application no longer proposed traffic calming measures, but if there was a perceived need, the developer would be happy to contribute through the S106 Agreement;
- Trip rates had been calculated at 140 movements in/out of the site during peak hours, and 88 movements at other times;
- All the dwellings would be delivered, along with open space and the nursery;
- The proposal accorded with the Submitted Local Plan.

The Chairman said he was pleased to hear that the developer was willing to contribute to traffic calming measures via the S106 Agreement, but the Planning Manager and Legal Services Manager had said this would not be possible. The Planning Manager interjected to say that if it was just traffic calming with a Grampian Condition, it could be viewed as an amendment, but the difficulty was that the traffic calming was not required. Mr Belton replied that if the Committee concluded that there was need of the traffic calming measures, they were not bound to accept the advice of the consultees and they could be included in the S106 Agreement at the request of Members.

Councillor Rouse queried the figures for the traffic movements and asked Mr Belton if they included the nursery; Mr Belton said they were not originally included. However, the County Council had asked them to re-model, and the figures before Members now included all trips.

Councillor Beckett stated that he had deliberately stood back from this application because of his position on the Committee. However, he wished to know if the service road was still part of the plan and Mr Belton said that it was.

Councillor Goldsack noted that the T-junction would be directly opposite a bungalow and he wondered whether it would be more suitably located further along the road. Mr Belton said that there needed to be a certain distance between junctions, so the ability to place the junction was constrained.

At this point the Chairman informed the Committee that Parish Councillor Glenda Preece had been due to address the meeting on behalf of Isleham Parish Council, but she was not present. A lengthy document from

the Parish Council had been circulated to all Committee Members in advance of the meeting and he hoped that they had had a chance to read it.

Councillor Beckett observed that whereas the whole allocation was for 125 dwellings, this application was only for up to 125. The Planning Manager said that the policy stated approximately 125 dwellings. This would allow some flexibility; there could be more than 125 in the future.

Councillor Beckett went on to say that Bloor were very good house builders. The consultation had been carried out very well and the issues raised had been taken on board. He believed the plan was as good as it could get, but his only concern was about road safety. There was an existing traffic problem which would be exacerbated by the new development. However, he had spoken to the County Councillor and measures could be taken. In view of this he would like to see Mr Belton's offer taken up.

The Chairman said he wished the delegated authority to approve to be in consultation with himself. Something had to be done to mitigate the traffic along Fordham Road and work would be undertaken with the County Council to achieve this.

Referring to a document he had received from Bloors, Councillor Chaplin said that on one of the points, the words "indicative" and "potential" had been used, whereas elsewhere it was "proposed". He expressed the hope that all "potential" would be turned into commitments.

It was duly proposed by Councillor Cox and seconded by Councillor Rouse that the Officer's recommendation for approval be supported with a S106 contribution to highway calming measures, and when put to the vote,

It was resolved unanimously:

That the Planning Manager, in consultation with the Chairman of the Planning Committee, be given delegated authority to approve planning application reference 18/00363/OUM subject to the recommended conditions as set out in the Officer's report (with any minor changes delegated to the Planning Manager) and the completion of a S106 Agreement to include highway improvements;

It was further resolved:

That the Reserved Matters application be brought to Planning Committee.

34. 18/00448/FUL – LAND ADJACENT 20 BROAD PIECE, SOHAM, CB7 5EL

Richard Fitzjohn, Planning Officer, presented a report (reference T71, previously circulated) which sought planning permission for the erection of a two storey dwelling within the curtilage of No. 20 Broad Piece.

The proposed development would include the demolition of an existing single storey double garage. It would provide 2 car parking spaces for the proposed dwelling and 2 parking spaces would also be retained by the existing dwelling.

The site was located to the north-east of Broad Piece, within the established development framework for Soham. The form and character of the area was mixed, with some dwellings sited near to the public highway and others being set back significantly or to the rear of other dwellings. The application site was located within the Water Treatment Works Safeguarding Area, which was a buffer zone around the nearby Soham Water Recycling Centre.

The application was called in to Planning Committee by Councillor Carol Sennitt as she felt the application would add to the Council's housing stock, that this development should not be excluded because of the Officer's concerns in respect of the rear facing windows due to many developments being passed with the same, and also as she considered that the hedge at the back of this land still gave a lot of privacy.

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

The main considerations in the determination of the application were:

- Principle of Development;
- Visual amenity;
- Residential amenity and pollution; and
- Highway safety and parking.

The Planning Officer stated that as the Council could not currently demonstrate a five year supply of land for housing, the presumption should be in favour of sustainable development unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.

As the site was located within the established development framework, the principle of development was considered to be acceptable.

It was noted that the application site measured only 250 square metres, which fell short of the 300 square metres plot size guidance as set out in the East Cambridgeshire Design Guide SPD. It was considered that by virtue of its size it would appear cramped and contrived within the site and would cause detrimental harm to the visual amenity of the street scene.

Members noted that the first floor windows of the proposed dwelling would only be 7.6 metres and 8.9 metres from the rear boundary, thereby failing to comply with the SPD Design Guide. This would cause significant overlooking and loss of privacy to the garden of No. 25 Broad Piece.

In connection with pollution, the proposal did not demonstrate that future occupiers of the proposed dwelling would not be adversely affected by odours from the Soham Water Recycling Centre.

Turning next to highway safety and parking, the Planning Officer stated that the Local Highways Authority had raised no objections to the proposal. There would be adequate parking for both the new property and

the host dwelling and it was considered that the development would not have any detrimental impact on highway safety.

On balance, it was considered that although the proposal would provide an additional dwelling, this was outweighed by the significant and demonstrable harm that would be caused to the visual harm to the street scene, as well as the residential amenity of existing occupiers of neighbouring dwellings and future occupiers of the proposed dwelling. The application was therefore recommended for refusal.

At the invitation of the Chairman, Mrs Victoria Stoneham, applicant, addressed the Committee and made the following comments:

- She was accompanied today by her stepfather, Mr Mike Rose, who lived at No. 20, next to her plot;
- Her plot was a little smaller than the guideline, but there were many other houses in Soham on similar size plots;
- The previous owners at No. 21 recently divided their garden to build a backland development, No. 25. They left a distance of 7.5 metres between the rear elevation of the original house and the new boundary, comparable to her shortest distance, and she would claim a precedent;
- She would be happy to fit obscured glass to the first floor windows on the rear elevation, or high level windows;
- The tandem parking arrangement was unnecessary;
- A similar design of house was recently approved by the Committee at land adjacent to No. 29 Broad Piece. The houses on either side of her proposed build were of a similar size to it and it would be in keeping with them;
- Anglian Water did not comment during the standard consultation period and their letter only appeared a few days ago, so her response was hurried. Odour was not a problem on her site and Anglian Water had not commented on any of the other nearby developments, apart from one at No. 29 Broad Piece, which was 30 metres from the treatment works. The Planning Committee had approved that application stating that “any future occupiers would be aware of the sewage treatment works.” There would be no problems for future occupiers;
- On a personal note, her stepfather had a long term illness and the time would come when he would need help to live. If she lived next door then he would be able to stay at home;
- She and her partner currently had two children and lived in cramped rented accommodation with her father;
- This was a once-only opportunity to build their lifetime home, doing much of the work themselves as a self-build;

- They considered the proposal to be appropriate for the plot and consistent with the ad-hoc character of housing in the area.

The Chairman informed Members that as Councillor Carol Sennitt was unable to attend the meeting, she had asked for a statement to be read out in her absence. With the permission of the Chairman, the Democratic Services Officer read out the following:

"I support this application because it is in the grounds of a relative whose health is failing. The family can live together to support one another.

The boundary at the rear has high trees and hedges so it does not look into the neighbour's garden, giving privacy all round. There is adequate parking and with the garden at the rear and all round, appears to be adequate for a family. It gives more garden than the usual estate type house.

This will add to our much needed housing supply."

The Chairman reminded Members of the need to be consistent in their decision making, saying that two odour assessments had already been carried out and the primary school was located within the cordon sanitaire.

Councillor Rouse congratulated Mrs Stoneham on giving a clear and succinct presentation. He said he did not believe that the plot size was a reason to refuse the application and the dwelling would fit in. This would be a much needed additional dwelling. There would be minimal overlooking because of the mature hedges and trees. The site could be, and should be developed and he would support approval.

It was proposed by Councillor Edwards that the Officer's recommendation for refusal be rejected and the application be granted approval.

Councillor Cox said he was minded to support approval as he believed the dwelling could enhance the street scene.

Councillor Goldsack disagreed, saying that while the applicant had put forward some compelling reasons, they were not material considerations. He was not unsympathetic, but what was the point of having rules if they were not followed. Councillor Beckett concurred adding that the site could be used, but for a much smaller building; he thought the scheme would look cramped and contrived.

In proposing that the Officer's recommendation for refusal be supported, Councillor Hunt said that the plot was too small and the dwelling would look contrived.

The Chairman reiterated that the Design Guide was just a guide. Having picked up on the issue of overlooking, he said that obscure glazing could be conditioned. He then reminded Members that Councillor Edwards had already proposed approval of the scheme and he would take this first.

Councillor Rouse duly seconded the motion for approval, subject to a condition ensuring that the rear elevation first floor windows be obscure-glazed, and when put to the vote, the motion was declared carried, there being 5 votes for, 4 against and 1 abstention.

It was resolved:

That planning application reference 18/00448/FUL be APPROVED for the following reasons:

- 1) Members believe that the plot size is not a reason to warrant refusal;
- 2) The proposed dwelling will fit in with the street scene;
- 3) The proposal will provide a much needed addition to the Council's housing stock;
- 4) The two first floor bedroom windows within the rear elevation to be obscure glazed to mitigate overlooking;
- 5) Odour assessments have been carried out on other sites within the vicinity and raised no issues, so should not be required.

It was further resolved:

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

There was a short comfort break between 4.00pm and 4.10pm.

35. 18/00660/FUL – 13 DOVEHOUSE CLOSE, ELY, CB7 4BY

Andrew Phillips, Senior Planning Officer, presented a report (reference T72, previously circulated) on behalf of the Case Officer. The application sought consent for a two storey side extension, plus a single storey extension behind.

The property was located on Dovehouse Close, within the Ely development envelope. It was a residential side road defined with a linear pattern of development and a medium density urban grain.

It was noted that the application had been called in to Planning Committee by Councillor Richard Hobbs; he was fully supportive of the application as it met a standard of design and the recommendation for refusal was one of a perceived view of the visual appearance.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the elevations, floor plans and photographs of the street scene.

The main considerations in the determination of the application were:

- Residential Amenity;
- Highway Safety & Parking; and
- Visual Impact.

The side and front elevations would face onto the public highway, and they would cause no demonstrable harm to residential amenity. The first floor rear elevation had no primary windows facing the rear neighbour and

with it being approximately 9-10 metres from the rear boundary, it would not cause overbearing or overshadowing.

With regard to highways and parking, Members noted that the proposed side extension would remove some of the existing driveway and one car parking space, while creating an extra space in the front garden. The plans indicated that a two car tandem parking arrangement could still be maintained on the site. Whilst the Submitted Local Plan did not support tandem parking, it had a low weighting as the Plan had not yet been adopted.

Speaking of visual impact, the Senior Planning Officer used several slides to illustrate his explanation of what was considered to be high quality. Girton College was shown as an example of contemporary design which carried through themes from the original building, and The Shard as a backdrop to a traditional church, as one of several modern designs that took a juxtaposition.

It was considered that the front elevation of the proposal would have a “terracing effect” in a mainly semi-detached area. The side elevation was a contemporary unbalanced design with a long sloping roof and it would result in the partial loss of the green “buffer” of the corner of the plot. Officers considered that both elevations were at odds with their surroundings and would be visually intrusive. The proposed materials were alien to the host building and the surrounding area.

On balance, the application was recommended for refusal as it was considered to be a visually intrusive addition to the host building and street scene, which would cause harm to the visual character of the area.

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

- He was the applicant and agent, and also an architect;
- The proposal was based on a thorough understanding of the site and had been fully assessed against local and national policy;
- He and his family had lived there for 7 years and the application was driven by the need for more space;
- The extension would be visually interesting and inspired by a 1930's house;
- The primary materials would be brick and timber, and have the colour tone and texture of the surroundings. Likewise, the roofing would respond to its surroundings;
- The extension would be subservient to, and hug the house;
- It would create a visually unobtrusive appropriate elevation;
- There would be 30 metres of separation distance;
- His proposal had local support.

At the invitation of the Chairman, Councillor Richard Hobbs, a Ward Member, spoke in support of the application and made the following points:

- His fellow Ward Member, Councillor Lis Every, also supported the application;
- The City of Ely Council had no concerns and would be pleased to see the extension on the house;
- This was a prime area and there would be no impact on on-street parking;
- He found it difficult to understand why it had been necessary to call in the application because the neighbours were fully aware of the proposal;
- He asked Members to re-think and approve the application because it was much needed in Ely.

In response to a question from the Chairman regarding the recommendation for refusal, the Senior Planning Officer said that the houses in the area were mainly semi-detached. This was not a typical side extension and it looked like a separate house had been added onto the plot. The style, design and choice of materials formed the reason for refusal.

Councillor Hunt disagreed, saying the proposal was successfully done and looked just right. It was subservient and complemented the host dwelling and achieved a balance in its setting. The extension provided an elegant conclusion to the block of dwellings and the materials would add to the special design. He proposed that the Officer's recommendation for refusal be rejected and the application be granted planning permission.

In seconding the motion, Councillor Cox said he found the proposal to be attractive and very practical.

Other Members declared their support for the scheme. Councillor Ambrose Smith thought it to be calm and discreet, believing it would transform the plot. Councillor Rouse considered it to be an original design and cleverly thought through. Councillor Goldsack said that while he had sympathy for Officers, he thought it to be a "brilliant" application, deserving of approval.

The motion for approval was duly put to the vote and,

It was resolved unanimously:

That planning application reference 18/00660/FUL be APPROVED for the following reasons:

- 1) The proposal is subservient to, and complements the host dwelling;
- 2) It achieves a balance in its setting and provides an elegant conclusion to the block of dwellings;
- 3) The proposed materials will add to the special design.

It was further resolved:

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

36. 18/00667/OUT – 45 EAST FEN ROAD, ISLEHAM, CB7 5SW

Richard Fitzjohn, Planning Officer, presented a report (reference T73, previously circulated) from which Members were asked to grant outline planning permission, with all matters reserved, for the erection of a dwelling and garage on land to the rear of 45 East Fen Road, Isleham.

The application site was located on the northern edge of, but within the established development framework for Isleham. It could be accessed by a vehicular track adjacent to the east boundary of the host dwelling that currently provided access to the agricultural land to the north of the site.

It was noted that the application had been called in to Planning Committee by Councillor Derrick Beckett on the grounds that there were other developments of this nature in the village, and he believed it was in the public interest for it to be debated by Committee.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, a location plan and an indicative site plan.

The main considerations in the determination of the application were:

- Principle of development;
- Character and appearance of the area;
- Residential amenity;
- Highway safety; and
- Archaeology.

With regard to the principle of development, it was noted that the Council could not currently demonstrate a five year supply of land for housing and therefore the presumption should be in favour of sustainable development unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.

As the application site was located within the established development envelope for the village, the principle of development was generally considered to be acceptable, subject to all other material planning considerations being satisfied.

The Planning Officer reminded Members that the north side of East Fen Road comprised single-depth, linear development fronting the public highway, with gardens and agricultural fields to the rear of the dwellings. The proposal would be located to the rear of the host dwelling where it would comprise back land development having no contextual basis for such development in the locality. The proposal would extend the built form against

the linear grain of development on edge of the village, causing significant detrimental harm to the character and appearance of the area. It was considered that granting approval could set a precedent for further backland development.

As the application was seeking outline planning permission with all matters reserved, no specific details of layout, scale and appearance could be assessed as part of this application. However, it was considered that a single dwelling could be accommodated within the site without creating any significant impacts on neighbours with regard to overlooking, overbearing, loss of light or loss of outlook. It was also unlikely that there would be any significant issues in respect of noise or light disturbance.

The Local Highways Authority had raised no objections to the scheme; there was adequate space within the site to provide parking and turning for two cars.

Cambridgeshire Archaeology did not object to the proposed development, but stated that records indicated that the application site was in an area of high archaeological potential. It was considered that the site should be subject to a programme of archaeological investigation, and this could be secured by planning condition.

Speaking of the planning balance, the Planning Officer said that while there would be the benefit of an additional dwelling to the District's housing stock, this would be outweighed by the significant and demonstrable harm which would be caused to the character and appearance of the area. The application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Ivan Cox, applicant, and Mr Kevin Watts, Building Surveyor, addressed the Committee and made the following comments:

Mr Watts:

- There was no doubt regarding the principle of development and the site was in a sustainable location;
- The Council did not have a 5 year supply of land for housing, so the presumption in favour of sustainable development applied;
- He did not dispute its backland nature, but he did not believe the development would result in a significant change in the character of the location. It would have a minimal effect.
- Access to the site was via a private track with no Right of Way and it could not be seen from any public viewpoint;
- Backland development had previously been allowed in Isleham. In 2016 Station Road had been allowed and that was outside the development envelope.

Councillor Goldsack asked if there had been any conversations with the residents of No.47 regarding backland development on their plot. Mr Cox replied that there was, but they had no interest in it.

Councillor Hunt proposed that the Officer's recommendation for refusal be supported. He said there was clearly a host of policies to cover this case and Officers had correctly interpreted it to be backland development. The report clearly set out why Officers agreed with the views of the Parish Council, and Members should back those policies.

The motion for refusal was seconded by Councillor Smith who believed that if permission was granted, it would not stop at just one dwelling.

When put to the vote, the motion was declared lost, there being 2 votes for and 8 against.

Councillor Beckett said the purpose of the Planning Committee was to bring a subjective view on some cases. This application was within the development envelope and permission had been granted elsewhere in the village. He could not see the demonstrable harm of a dwelling in this position, as he believed it satisfied most of the planning requirements.

Councillor Rouse felt it was a question of balance and he questioned whether demonstrable and significant harm would really be caused if a dwelling was built on this site. It was within the development envelope and he thought it would harm no-one.

Councillor Chaplin thanked Councillor Beckett for the points he had raised, and he also thanked Officers for doing what he considered to be an incredibly hard job. He said he was minded to support approval but wished to make it clear that this was in no way a reflection on the Case Officer. The point of having a Committee was to maybe sometimes go against policies.

The Chairman concurred saying that the Officer's recommendation had been based on planning policy. He himself kept coming back to the question of "significant and demonstrable harm" and could not see it.

It was proposed by Councillor Cox and seconded by Councillor Beckett that the Officer's recommendation for refusal be rejected, and the application be approved.

When put to the vote the motion for approval was declared carried, there being 8 votes for, 2 against and 1 abstention.

It was resolved:

That planning application reference 18/00667/OUT be APPROVED for the following reason:

- Members do not believe that the scheme will have a significant and demonstrably harmful impact on the character and appearance of the area.

It was further resolved:

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

37. 18/00707/VAR3M – SITE SOUTH EAST OF FORMER BOWLING ALLEY, THE DOCK. ELY

Richard Fitzjohn, Planning Officer, presented a report (reference T74, previously circulated) which sought permission to vary Condition 1 (approved plans) and condition 7 (car park layout and drainage) to reduce the number of disabled car parking spaces within The Dock car park from 8 to 3 spaces. The proposed variation would increase the total capacity of the car park, providing an additional 2 car parking spaces and a motor cycle parking space.

The application site was located along The Dock, surrounded to the north, west and south by The Dock Business Park, Cambridgeshire Business Park and Angel Drove Car Park. A Tesco superstore and Ely Train Station were located within close proximity to the north-east of the site.

It was noted that the application was to be determined by the Planning Committee as the applicant was East Cambridgeshire District Council.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, a plan of the existing car park and photographs taken by the Case Officer during site visits on 7th and 25th June 2018.

The main consideration in the determination of the application was parking provision.

The Planning Officer stated that the proposal would reduce the number of disabled car parking spaces to 3 spaces and this in turn would result in an under-provision of 5 disabled spaces, contrary to Policy COM8.

However, the Parking Survey showed that disabled car parking spaces were significantly under-utilised. At no time during the survey did the Open Spaces & Facilities Manager record the disabled car parking spaces in the Angel Drove Car Park being fully occupied.

The East Cambridgeshire Access Group had commented that they were happy with the proposed variation as the agreement allowed the spaces to be returned to accessible parking if the need arose in the future.

Based on the results of the Parking Survey, it was considered that the reduction in the number of disabled parking spaces was therefore acceptable.

At the invitation of the Chairman, Councillor Hunt addressed the Committee. He said he was sure that Members were aware of what a huge success the new car park was proving to be. With it being a commuter car park, it was full all the time and all the spaces were needed.

There were currently 8 disabled spaces available, but they were well under-used, with maybe only 1 space being occupied each day; sometimes all the spaces remained empty. As previously noted, the results of a twice daily survey had shown the disabled spaces were not being used, with a maximum of 3 cars parking in the spaces on one particular day.

Councillor Hunt urged the Committee to support the application as it could provide another 7 parking spaces. An undertaking had been given to

the Access Group that the availability of disabled spaces would be monitored and reviewed as necessary.

At this point, Councillor Hunt left the Council Chamber.

There being no comments or questions, it was proposed by Councillor Goldsack 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 18/00707/VAR3M be APPROVED subject to the recommended conditions as set out in the Officer's report.

Councillor Hunt returned to the Council Chamber.

38. 18/00737/FUL - LAND SOUTH EAST OF THE BUNGALOW, ABBEY LANE, SWAFFHAM BULBECK

Richard Fitzjohn, Planning Officer, presented a report (reference T75, previously circulated) which sought consent for the erection of two detached single storey dwellings and detached garages.

The site would be accessed via an existing vehicular access which served the adjacent property to the north-west where a replacement dwelling had been constructed under planning permission reference 15/01601/FUL.

Planning permission for two dwellings on this site had previously been refused twice, once by Planning Committee and once under delegated powers, on both occasions due to the site being considered an unsustainable location for 2 dwellings and due to the harmful impacts that the proposed development would have on the predominantly rural character and appearance of the area.

The application site was located outside the development envelope of Swaffham Bulbeck in a predominantly rural location on the corner of the B1102 and Abbey Lane. The site included land which was formerly a chalk quarry.

It was noted that the application had been called in to Planning Committee by Councillor Rouse, so that Committee could look at the changes (from the previous applications) that the applicant thought would now make it acceptable.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the layout of the proposed development, and elevations of the proposed dwellings. Members were also reminded that Councillor Alderson, Ward Member, had previously raised concerns about the site being unsustainable.

The main considerations in the determination of the application were:

- Principle of development;

- Character and appearance of the area;
- Contamination risks;
- Ecology and trees;
- Highway safety;
- Residential amenity; and
- Archaeology.

The Planning Officer reiterated that the Council was currently unable to demonstrate an adequate 5 year housing supply. Therefore, applications had to be assessed in accordance with the presumption in favour of sustainable development as set out in the NPPF.

The site was located 95 metres from the edge of the nearest settlement boundary, and isolated from the main settlement of Swaffham Bulbeck where the nearest facilities and services were located approximately half a mile away. The isolation of the site from local services and facilities weighed against the social dimension of sustainable development in respect of the location of rural housing and also the environmental dimension in respect of the reliance on the private car.

It was considered that despite the amendments made to the application, by virtue of its location and the lack of urban built form surrounding the site, the addition of residential dwellings would create an intrusive urbanising impact upon the surrounding rural landscape. It would erode the predominantly rural character of the countryside setting and detrimentally impact views into and out of the village.

The site was surrounded by landscaping at present. However, not all of it was protected and this could not be relied upon to screen the proposed development as much of it could be removed without requiring permission.

It was therefore considered that the erection of residential development in this location would cause significant and demonstrable harm to the rural character and appearance of the area.

With regard to contamination risks, it was noted that the site was formerly a chalk quarry and the Environmental Health Department had raised concerns about contamination. The Council had previously commissioned an independent review by EPS, who reviewed the information and found it to be acceptable. It was considered that the contamination risks could be dealt with by strict planning conditions.

The application site was surrounded by a number of substantial boundary trees, some of which were the subject of Tree Preservation Orders. The updated Arboricultural Impact Assessment was reviewed by the Council's Trees Officer who considered the report to be accurate and supported the information within it. Having concerns regarding the impact of the proposal on the landscape, he advised that if the application was approved, the Tree Protection Plan in Appendix 4 would be required to be implemented by planning condition to ensure the successful retention of trees at the site.

The Local Highways Authority had no objections to the proposal as there would be adequate parking and turning space on the site for two cars per dwelling. The application was therefore considered to be acceptable in respect of the impact on highway safety.

In terms of residential amenity, the Planning Officer stated that due to separation distances, there would be no significant detrimental impacts upon residential amenity. Both proposed dwellings would have sufficient amenity space for future occupiers of the proposed dwellings.

The Committee noted that the site lay in an area of high archaeological potential. Cambridgeshire Archaeology had no objection to the proposal but recommended that a condition be appended to any grant of permission requiring an investigation to be carried out and approved by the Local Planning Authority prior to the commencement of any development.

Speaking of the planning balance, the Planning Officer said that while the proposal would provide two additional dwellings to the Council's housing stock, this would be outweighed by the significant and demonstrable harm caused by the siting of the dwellings in an unsustainable location, the reliance on a private motor vehicle to gain access to services and facilities, and the detrimental urbanising impact upon the surrounding rural landscape. The application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Philip Kratz, agent, addressed the Committee and made the following points:

- Some Members would remember this case coming to Committee a year ago. It went to a casting vote, and the steer to the applicant was that the proposal was too large;
- The Council was currently unable to demonstrate a 5 year supply of land for housing;
- Members had already touched on a tilted balance in previous debates;
- He questioned whether there was significant and demonstrable harm because there were no contamination, biodiversity or arboricultural reasons to refuse the application;
- The unsecured trees were within the residential curtilage and it would be for Members to ask for a condition;
- Everything was okay and it just came down to landscaping and visual impact;
- As stated in the report, a full assessment had been undertaken and while the Officer did not agree with it, he (Mr Kratz) said that it followed the rationale;
- If there was harm, it was not significant or demonstrable. With regard to paragraph 79 of the NPPF, this house was not isolated because there were other houses there;
- Two more houses would not be a problem and they would be bespoke designed.

At this point the Chairman reminded Members of the reasons for refusal of the previous application.

Councillor Beckett asked Mr Kratz about the definition of the site. Mr Kratz replied that it was Previously Developed Land (PDL), which meant that it had been occupied by a permanent structure, but as it had been used to dispose of waste soil, it did not meet the full PDL definition.

At the invitation of the Chairman, Parish Councillor Nicky Bates addressed the Committee and made the following points:

- He was here as a representative of Swaffham Bulbeck Parish Council and its Housing Group;
- This was the third application on the chalk pit site and the Parish Council was strongly opposed to it;
- It was not included in any Local Plan, the site was in open countryside, and the only consultee was the owner of the land;
- Any development would be urbanising and detrimental to the approach to the village;
- If granted permission, it would say to others that ECDC would allow development in the locality.

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

- The previous application on the adjacent site was for cutting into the clunch pit , but only at the first floor above ground level and was for a replacement dwelling;
- Owners used to be able to build what they wanted and where before the TCPA. The Act established the need for permission to build on land;
- When looking at the application now, Members would have to decide if it was in the right place;
- Nothing had changed. A car would still be needed, there were limited facilities and it would urbanise the rural area;
- In the south of the District one had to be extra careful about what was or was not allowed. He did not want people to look back in the years to come and say that this was the start of ribbon development;
- There had to be the right sort of development and local housing should be for the local people;
- He drew attention to Condition 13 of planning application 15/01601/FUL and the reason, which stated that there should be no amending or revoking of the order to safeguard the area. This application contravened that reason.

Councillor Hunt said it was very clear from the volume of responses and the views of the elected Parish and District Members that the application was not supported. He believed that the Officer's opinion should be supported and duly proposed that the application be refused, with the grounds for the refusal of the previous application being included. The motion was seconded by Councillor Edwards.

Councillor Ambrose Smith felt that this could give an opportunity to provide two single storey dwellings in a pleasant location and for those with limited mobility, it would be an attractive proposition.

Councillor Chaplin was pleased to see the application come back as bungalows. Many in the south of the District would welcome the chance to have a bungalow and it would release houses for families. He did not believe the location to be unsustainable and the village shop was doing well. If development was not permitted around the village, sustainability would be lost. The site was not "countryside", it was an old quarry and the application should be approved.

Councillor Goldsack queried whether the condition on a previously approved planning permission for the adjacent replacement bungalow, which removed Permitted Development Rights for outbuildings and structures etc on the application site, was something that should prevent the proposed development through the current planning application. He was advised by the Planning Manager that this was a standalone condition which related to the replacement dwelling and did not prevent development being allowed by a separate planning application.

Councillor Rouse recalled that there had been very close debate the last time the application came to Committee, and he thought it was well worth airing it in public.

The Committee then returned to the motion for refusal. When put to the vote the motion was declared carried, there being 5 votes for, 4 against and 2 abstentions. Whereupon,

It was resolved:

That planning application reference 18/00737/FUL be REFUSED for the reasons given in the Officer's report and for the reasons stated in the refusal of planning application 16/01363/FUL as previously determined by Planning Committee.

39. 18/00749/FUL – SIDINGS FARM, ELY ROAD, PRICKWILLOW, CB7 4UJ

Catherine Looper, Planning Officer, presented a report (reference T76, previously circulated) which sought permission for the erection of a two storey detached dwelling to replace the existing dwelling at Sidings Farm. It would be of a modern design with different elements protruding from the sides, front and rear. The applicant also proposed a triple-bay car port to the west of the proposed dwelling.

The site was located to the west of Prickwillow, approximately 600 metres outside of the defined settlement boundary. It currently comprised a detached single storey dwelling on an agricultural site and to the rear of the plot was a large agricultural building of modern construction. The site was clearly part of an established agricultural unit.

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

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the layout and scale of both the existing building and the proposed development, elevations, and photographs of the street scene.

The main considerations in the determination of the application were:

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

Speaking of the principle of development, the Planning Officer said that the proposal was contrary to policy as it would not be located on the existing footprint and would be approximately 8 metres to the east, for which no justification had been put forward. In addition, the existing dwelling was a single storey dwelling with a converted roof space but the proposed dwelling was a full-height two storey dwelling with a ridge height of 8 metres. The cumulative impact of the dwelling and the proposed car port would result in a frontage of built form which was double that of the current arrangement. The proposal was considered to create an urbanising impact in a rural countryside location setting and was harmful to the character and appearance of the area.

The site was a significant distance from the nearest residential dwellings and was therefore not considered to impact these occupiers. However, it was considered that future occupiers would be likely to suffer noise disturbance from the farm activities which were immediately adjacent to the proposed dwelling, as it was not linked to the business and no agricultural justification had been put forward. This could curtail the future operations of the farm business. It was considered that the proposal would cause significant and demonstrable harm to the countryside.

Members noted that the site was within Flood Zone 3 but the Environment Agency had not objected to the scheme as they considered the mitigation measures put forward in the Flood Risk Assessment sufficient to ensure that the development was safe for its lifetime. Surface water drainage would be dealt with by rainwater harvesting and soakaways. The Flood Risk Assessment submitted alongside the application identified that the Sequential Test had been met as there were no other sites within Prickwillow which were at a lower risk of flooding.

While the proposal would provide a replacement dwelling built to modern, sustainable standards, it was considered that the benefits would be outweighed by the significant and demonstrable harm which would be

caused by the siting of a large and dominant form of development in a rural agricultural setting. The application was therefore considered to be contrary to planning policies and recommended for refusal.

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

- The farm was purchased in the late 50's and the current dwelling was constructed in 1961/62 and Mr Hopkin started on the farm in 1962;
- The applicant had moved in with his parents when they retired in 1991;
- It was essential to live on site whilst building the proposed dwelling;
- The applicant was aware of the flood zone and was willing to accept conditions;
- The pre-application discussions with Officers had resulted in a negative response, with the decision being based on previous consents. The applicants wanted 2 storeys after looking at other approvals;
- The backdrop to the site was a large farm building. There would be an improved view of the farmyard and improved acoustic screening;
- With regard to the issue of noise, concerns had been raised by Environmental Health in many recent applications. However, in this case there had been none and the objection was raised by the Case Officer;
- This proposal was only 25% larger than the existing building.

In response to a question from the Chairman, Mr Fleet confirmed that the current dwelling was not subject to an agricultural restriction.

At the invitation of the Chairman, Councillor Richard Hobbs, a Ward Member, addressed the Committee and made the following comments:

- He was also representing the other Ward Member, Councillor Lis Every and they both very much supported the application;
- Another application was refused a year ago for a new dwelling, but he believed the applicant had addressed those issues by coming forward for a replacement dwelling;
- Members had a responsibility to support Fen life, or it would be lost, and there was also the issue of the security of farms;
- With regard to recommendation 1.2(2), rural life was a tradition that was passed on, so if one lived near a farm, one would expect noise;
- The applicant had listened to Officers, there had been no objections at all and the application was supported by the City of Ely Council. He should be allowed to continue his livelihood.

The Chairman said he wished to thank the Case Officer for sticking to policy and Councillor Beckett endorsed this adding that should Members be minded to go against her recommendation, it did not have any bearing on her.

Councillor Beckett then asked about building under Permitted Development Rights, and the Planning Manager gave some examples but said that it would depend on the particular circumstances.

Councillor Rouse said there was a huge variety of buildings located along this road and he believed that the site absolutely needed a dwelling. The application was perfectly acceptable and a common sense solution and he proposed that Members should reject the Officer's recommendation for refusal and grant planning permission.

Councillor Hunt concurred, saying that this was not an area of natural beauty. As long as the existing bungalow was demolished, there was everything to recommend going against the Officer's recommendation.

Councillor Cox started to make a comment, but the Chairman interjected to say that he considered it to be totally unacceptable and Councillor Cox duly withdrew it.

In seconding the motion for approval, Councillor Goldsack said that if the application was refused, the existing property would fall to bits because of the subsidence.

The Chairman concluded by reiterating Councillor Hobbs' point about providing homes for farmers.

It was resolved unanimously:

That planning application reference 18/00749/FUL be APPROVED for the following reasons:

- 1) Members do not believe that the scale and location of the proposal would be harmful to the rural character and appearance of the area;
- 2) It would not create a visually prominent and urbanising impact which would erode the predominantly open agricultural character of the area.

40. EXT/00011/18 – LAND ADJACENT TO WATERBEACH BARRACKS & AIRFIELD SITE, WATERBEACH

Andrew Phillips, Senior Planning Officer, presented a report (reference T77, previously circulated) from which Members were recommended to confirm the wording of the consultation response of East Cambridgeshire District Council to South Cambridgeshire District Council regarding a proposal for a new town at Waterbeach.

The site was located within the Authority of South Cambridgeshire District Council on the ex-military base to the north of Waterbeach and the eastern boundary was defined by the railway that runs between Ely and Cambridge.

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

With the location of this site, the main consideration for East Cambridgeshire District Council was the impact on transport movements, primarily on the A10 and the railway line.

With regard to car movements, the greatest change would be in the morning rush hour on the A10. Development was predicted to lead to -2% traffic at the Cambridge Research Park, but by Denny End Road this would have increased to 9% additional traffic. By the time it reached the Ely Road junction with the A10 at Milton, it would have increased to 42%.

A 5–10% increase in traffic along the A10 traffic heading into Cambridge would be significant on a road that was already known to have a significant traffic problem. This would most likely have a detrimental effect on residents in East Cambridgeshire who would either be further delayed in getting to work or have to find alternative options.

Councillor Hunt declared his total support for the proposed response and urged Members and Officers to continue to push for the A10 to be dualled.

There being no further comments,

It was resolved unanimously:

That the wording of the consultation response of East Cambridgeshire District Council to South Cambridgeshire District Council in respect of planning application reference EXT/00011/18, as set out in the Officer's report, be confirmed.

41. PLANNING PERFORMANCE REPORT – JUNE 2018

The Planning Manager presented a report (T78, previously circulated) which summarised the planning performance figures for May 2018.

The Department had received a total of 185 applications during June which was a 15% decrease on June 2017 (199) and a 7% decrease from May 2018 (199).

Members noted that an additional column had been added to the table in the report, covering Discharge of Conditions (DIS), Trees and Non Material Amendments (NMA).

The Planning Manager said that Officers had performed extremely well, exceeding all targets and the Department was currently dealing with a high volume of appeals which included Public Inquiries, hearings and written representations.

There would be an element of "other information" included in her reports when there was something to be brought to the attention of Members.

With regard to staffing matters, it was noted that Chris Hancox, Planning Officer, would be leaving the Authority.

It was resolved:

That the Planning Performance report for June 2018 be noted.

The meeting closed at 6.10pm.