



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee facilitated via the Zoom Video Conferencing System at The Grange, Nutholt Lane, Ely on Wednesday, 2nd September 2020 at 1:05pm.

P R E S E N T

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr Sue Austen
Cllr David Brown
Cllr Matt Downey
Cllr Simon Harries (Substitute for Cllr Gareth Wilson)
Cllr Julia Huffer (Substitute for Cllr Lavinia Edwards)
Cllr Alec Jones
Cllr Josh Schumann
Cllr Lisa Stubbs (Vice Chair)
Cllr John Trapp

OFFICERS

Rebecca Saunt – Planning Manager
Maggie Camp – Legal Services Manager
Andrew Phillips – Planning Team Leader
Toni Hylton – Senior Planning Officer
Janis Murfet – Democratic Services Officer (Committees)

IN ATTENDANCE

Cllr Charlotte Cane (Agenda Items 6 & 7)

29. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Lavinia Edwards and Gareth Wilson.

It was noted that Councillor Harries would substitute for Councillor Wilson, and Councillor Huffer for Councillor Edwards for the duration of the meeting.

30. DECLARATIONS OF INTEREST

Councillor Jones declared a personal interest in Agenda Item No. 5 (19/01439/FUL – Land to East of Orchard Cottage, 11 Chapel Lane, Reach, CB25 0JJ), saying that he slightly knew the applicants, who were friends of his parents.

31. **MINUTES**

It was resolved:

That the Minutes of the meeting held on 5th August 2020 be confirmed as a correct record and signed by the Chairman.

32. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- Officers were giving Members the best information they could in the current circumstances regarding planning applications, and he wished to remind Members that they could go and visit the sites if they so wished. However, they should not go onto private property without consent;
- A flurry of information had been received in relation to an application very shortly before the Committee meeting. He would therefore be holding discussions with Officers regarding the introduction of a 'cut-off point' for the submission of such information, so that Members would have sufficient time to read everything.

33. **19/01439/FUL – LAND TO EAST OF ORCHARD COTTAGE, 11 CHAPEL LANE, REACH, CB25 0JJ**

Toni Hylton, Senior Planning Officer, presented a report (reference V53, previously circulated), which sought approval for the erection of a dwelling to the rear of 11 Chapel Lane, fronting onto Hythe Lane.

Referring to the Planning Committee Update document, and with regard to the Chairman's earlier remark about the late receipt of information, the Senior Planning Officer said that Reach Parish Council had submitted additional comments in respect of a number of issues. Since writing her report and up to this morning, she had also received further comments from neighbours, but many had been addressed in the report.

Members were asked to note a correction to the report; Condition 10 was to be deleted.

The site was situated in the rear garden of 11 Chapel Lane and was within the development envelope and Conservation Area for Reach. It was accessed from The Hythe, which led to a public right of way and the sewage works beyond.

The scheme had been amended four times, mainly changing elements of the external appearance, as well as the removal of a car port and reducing the overall size of the proposed dwelling.

It was noted that the application had been called in to Committee by Councillor Charlotte Cane for the following reasons:

- Impact on archaeology;
- The access road is too narrow to accommodate more development;
- The proposal would affect the setting of White Roses; and
- There are significant drainage issues in Reach.

A number of illustrations were displayed at the meeting, including a map of the location, aerial view, a map showing the setting of the site, photographs taken in close proximity to the site, the proposed layout, photographs of the street scene, elevations and the internal layout of the proposal.

The main considerations in the determination of the application were:

- Principle of development;
- Residential amenity;
- Visual amenity;
- Historic environment;
- Highways; and
- Flood risk and drainage

With regard to the principle of development, the proposed site was within the development envelope for Reach and was therefore considered to be acceptable in principle.

In terms of residential amenity, the host dwelling, Dolphin Cottage, 12a Hythe Lane, 15 Chapel Lane and White Roses were the properties that would be impacted by the proposal. However, it was considered that given the distances between the proposal and those dwellings, the potential for overlooking, overbearing or loss of light was unlikely. In order to ensure the long term protection of the neighbours' amenities, it was suggested that a condition limiting any additional windows, outbuildings or extensions be attached to any planning permission issued.

The site occupied a village centre location, with residential development on all boundaries. The proposal was designed to be a simple cottage taking reference from its nearby neighbours and overall character of the village of Reach.

It was noted that Reach Parish Council had recently adopted a Design Guide and that document having been reviewed, it was considered that this proposal met what was set out in the guidelines.

Concerns had been raised regarding the proposed dwelling being a form of overdevelopment and that it would increase the density of the development in the area. The Senior Planning Officer said the plot was in excess of 300 square metres (1102 feet). The host dwelling would still have a plot size of 750 square metres (2460 feet) and the siting of the proposed dwelling would still

enable gaps in development. On this basis, the proposal was not considered to be overdevelopment or lead to a higher density and as such it complied with Policies ENV1 and ENV2 of the Local Plan 2015 and the Design Guide SPD.

In connection with the historic environment, the application site was within the Conservation Area and opposite was White Roses, a Grade II Listed Building. While there were expectations of archaeology in the location, this did not preclude development. However, the developer would be required to undertake a Written Scheme of Investigation and this could be secured by condition.

Turning next to highway safety, it was noted that the Local Highways Authority had raised no objections to the scheme. The proposed dwelling could accommodate a minimum of two off-road parking spaces and it was not considered that an additional dwelling would be detrimental to highway safety. Additional measures in case of emergency could be secured by condition.

The site was in Flood Zone 1, and therefore complied with Policy ENV8 of the Local Plan 2015. Many comments had been received regarding issues with sewage and the area not being able to cope with the number of dwellings it served. Consultation was therefore undertaken with Anglian Water and they considered there was adequate capacity for an additional dwelling. The Senior Planning Officer said she had suggested informatives and recommended a pre-commencement condition requiring details of how foul and surface water was to be dealt with.

The Senior Planning Officer concluded her presentation by saying that, on balance, the proposal was considered acceptable. The design shared features from other buildings in the locale, in keeping with the local area. It could provide adequate off-street parking and would provide a small dwelling which would lead to a sustainable development without causing harm to the setting of the Conservation Area and Listed Building. Issues relating to archaeology and drainage could be addressed by way of conditions, and the application was therefore recommended for approval.

At the invitation of the Chairman, Mr Tim Clutton-Brock addressed the Committee and read out the following prepared statement:

'I am Tim Clutton-Brock and I have lived at White Roses on The Hythe for the last 40 years. Like the Parish Council, other residents of The Hythe and your Conservation Officer, I oppose this application and ask you to think very carefully about it.

Reach is a mediaeval port and The Hythe and Fair Green are its most important historical components. The Hythe is a narrow lane skirted by old houses on both sides. No additional houses fronting The Hythe have been built for at least a century and there are both historical and practical reasons to avoid building further houses fronting The Hythe. The proposed development involves a house and car parking area sited above the level of The Hythe and overlooking White Roses, the only listed building in the vicinity. The development will have a substantial effect on the appearance and amenity

value of The Hythe and will establish a precedent for building new houses fronting onto it which will destroy its character and amenity value. The Hythe is narrow, there is severe parking congestion along it which already prevents emergency vehicles from getting to residents' houses without delay. The presence of further houses – and of this development in particular - will make this worse. There are many more suitable places for development elsewhere in the village.

May I draw your attention to 2 points in the planning officer's report? First, it discounts the existing problems of access and congestion in The Hythe because there are verges on either side of the narrowest part of the road, - but it does not mention that there are normally parked cars along one side, restricting its breadth to 2.5 metres or less - or that the kerb height of the pavement on both sides is 20cm, so that neither private cars nor emergency vehicles can drive over these verges. On several recent occasions emergency vehicles have been unable to reach houses further down The Hythe because they could not drive over the verges. The report also suggests that problems of access can be solved by fitting sprinklers to the proposed house, ignoring one of the main objections raised by residents which is that the proposed development will affect access to other houses along The Hythe.

Second, the report makes no comment about the proposed access to the site. This involves construction of a separate drive and path over land that the applicants do not own to a site above road level where the two cars will park nose to tail and cannot turn so that cars parked there will either have to back in or out onto The Hythe, which will add to congestion. The presence of vehicles parked beside or in front of the house above road level will affect the appearance and amenity of the area. In addition, any visitors to the proposed house will have to park on The Hythe, and delivery vehicles will have to park in the middle of the roadway blocking it entirely. The parking site will need to be paved and so will add to run off into The Hythe roadway during periods of heavy rain which will accentuate flooding in the area.

If the Committee are minded to ignore the concerns of the Parish Council, the existing residents and the Conservation Officer and to approve this development, we suggest that they should require the following 2 alterations to the existing plans:

First, the access to the new house should be via Chapel Lane on land already owned by the applicants to the north side of their existing house. Chapel Lane is broader, less busy and less congested than The Hythe. This would reduce several of the disadvantages of the current plans, including the presence of parked cars above the level of The Hythe, the construction of a driveway on land the applicants do not own and awkward access to The Hythe.

Second, the existing hedge bordering The Hythe should be retained and not reduced below 2m to preserve the current appearance and amenity value of The Hythe and the new house should be sited at least 4m back from the hedge

to reduce the extent to which it overlooks White Roses and to provide it with an adequate garden.

Thank you for your attention.'

Mr Clutton-Brock then responded to comments and questions from the Committee.

Councillor Jones asked if the applicants had bought additional land to accommodate the parking and Mr Clutton-Brock replied that he did not think so; the area went across an existing verge.

Councillor Trapp said he had visited the location this morning and parking was very tight. He had had to wait five minutes for a delivery van to move and then he had to reverse out as there was nowhere to turn. There would be tandem parking, with people having to either reverse in to spaces or reverse out of The Hythe. Mr Clutton-Brock concurred, saying that parking was nose to tail. There had been a recent fire at White Roses and the fire engine would not drive up on the verge. As a result, it took ten minutes to find the owner of the car which was in the way.

The Senior Planning Officer informed the Committee that the area was highways land.

With the permission of the Chairman, the Democratic Services Officer read out the following prepared statement on behalf of Mr & Mrs Dan Tucker:

'We note that although Anglian Water has confirmed that there is adequate sewage handling capacity at the Burwell treatment works, the problem in Reach appears to be a regular and repeated obstruction where the village's sewage pipes enter the waste water pumping works on the Hythe. This continues to affect public and private property on the Hythe including 12a and 14, and including areas where children play. Anglian Water has not been able to rectify the problem, and they have had to respond to emergency call-outs on average once every 6 months over the last 10 years. So, before approving any planning permission, with resulting additional load and further impact on the public health of residents, it would be important to ensure that the existing system is fit for purpose.

Secondly, we note that the amended application still appears to include provision for off-road parking for only 2 cars and this will result in any additional cars being parked in the Hythe. This is a narrow road and already highly congested with no apparent space for more parking. The current congestion means it is already impossible for emergency vehicles to reach the houses at the lower end of the Hythe. Recently an ambulance was unable to get through to our house due to parked cars.'

At the invitation of the Chairman, Mrs Deborah Blocksage addressed the Committee and read out the following prepared statement:

'We would like to thank Senior Planning Officer, Toni Hylton for her support in our application to build a sustainable cottage that will meet the needs of our

present and future generations and one that respects the scale and rhythm of its neighbours.

In the seventies planning permission was granted for a four-bedroom detached house with a double garage but luckily this was never carried out. We feel that a traditional cottage, built with high quality materials, would fit in with the surroundings of The Hythe without causing damage to its natural, archaeological and historic assets. It has recently been recorded that 89% of villagers in Reach would like to maintain traditional building styles as opposed to modern developments.

Freeing up some of our large garden would make way for an affordable two bedroom cottage that is desperately needed by so many especially our younger generation. Not many youngsters have the opportunity to live in an area on the edge of the National Trust. My children certainly enjoy living here and my son and I regularly cycle this area and since lock down have clocked up just under 3,000 miles on surrounding countryside just from our back door. Our Neighbourhood Plan that is being set up identified that 93% of villagers thought ready access to open countryside was very important. It would be a shame that their generation, as they get older, may have to move away from this area owing to the lack of affordable homes. This traditional cottage, which would be built on a suitable infill site, within the development envelope, would provide this opportunity for them to remain in the village whilst enhancing and refreshing The Hythe.

We do realise that some residents along The Hythe are not keen for this to happen and have a lot of negativity towards our proposal. We have asked other villagers's views, who do not live along The Hythe, and the general feedback we received was that they cannot see what harm it would cause and that The Hythe needs a refresh.

We have been careful as to not cause any detriment to the structure, character and appearance to the setting of the listed building. We take notice, however, that an area to the side of the listed building has been tarmacked over for extra vehicles to park which we feel affects the setting of The Hythe and the listed building.

For years The Hythe has been used by the general public to park their vehicles near the sewage works and adjacent common land so that they can access the open countryside, along with Anglian Water maintenance trucks doing their regular visits. We would have off road parking for 2-3 cars so we would not add to the existing parking problems that residents have openly acknowledged in their letters that the way THEY park is causing potential dangers. We could build the site a couple of feet over and get in 4 cars.

Every city, town and village has some form of archaeological interest and we would be more than happy to have a dig carried out to make sure that there are not any items of significant interest.

To retain the traditional appearance of the Conservation Area we were looking to replace a section of the overgrown laurel bushes with native planting which would be more in keeping, wildlife friendly and able to adapt to future climate change.

Approximately 20 years ago the semi-detached cottages numbers 12a and 12b were converted into one dwelling which has reduced the density of housing in

the lane. Our cottage would fit comfortably between number 8 and number 12 with an approximate 35ft gap either side.

As this is not a large project, it would have minimal impact during the building process. If needed, construction vehicles would have ample space to park on our drive and access the site by the side of our front garden. This was a concern from the resident at Number 8 and her good friend at number 10, Chapel Lane.

Please see this proposal as an enhancement to the character of The Hythe, not one that would not harm its surroundings but instead make a positive impact and add interest. Thank you for listening.'

Councillor Harries said he sensed a certain amount of bad feeling about the proposal and asked if Mrs Blocksage had encountered a worsening of relationships in The Hythe because of the plans she had put forward; she said that this was correct.

Councillor Trapp asked if the proposed dwelling would be affordable housing in that it would be supported by a Land Trust or suchlike, or just a small house and Mrs Blocksage replied that it would be the latter, with two bedrooms. Councillor Trapp then asked about construction vehicles using an access to the north side of the house instead of through The Hythe. Mrs Blocksage said that in the event of any problems there was ample space for the vehicles to park on her driveway. She also rejected Mr Clutton-Brock's suggestion of having the drive from Chapel Lane rather than The Hythe.

At the invitation of the Chairman, Councillor David McMillan, Reach Parish Council addressed the Committee and read out the following prepared statement:

'Chairman and Members, thank you on behalf of the Parish Council for allowing us to be represented at your meeting.

This proposal being a single 2 bedroom house is of the type that is villagers asked for in the NP consultations and it is within the village envelope so we would like to support it, the changes made have been largely cosmetic. This is still a 2 storey building masquerading as 1 ½ storeys. There are other issues which make us want to see this refused:

The historical importance of Reach as a port cannot be emphasised enough and appears to go back to Roman times. Reach is now a quiet village, but until the early 1900's was a bustling Port. There were at least 7 pubs and numerous licensed "Beer Sellers" in Reach. What is referred to as Dolphin Cottage in the Application is known to us as "Black Eyed Susan" and was mostly patronised by Dutch sailors using the Port. White Roses, is referred to in the report as having been the Old Vicarage, but that is only a part of its life, it was built as the Merchant's House for the Port, and there are remains of storage and a wharf so it is very important to the Conservation Area, the green opposite was the village green for West Reach. The proposal, being on higher ground, would have a detrimental impact on this setting and look into the main room of the house, aggravated by being on higher ground.

This application is in the historic area of Reach Port. The ground beneath was a mooring believed to have been filled in when the Dyke was removed to extend Fair Green in the 13th Century (see the Historic Environment report 5 Nov) Superficial evidence is to be seen in the garden of 12A where there is a Quay stone for boats to tie-up. As mentioned in that report the land under the house will be quite unstable and there could be underground water so foundations will need to guard against such problems and other properties in the area have had trouble. This historic setting makes the Archaeological conditions especially important.

There is a problem on the access road, although I see the officer's measurements, they ignore the problem of kerb height. Because the Hythe runs several inches deep in water during thunderstorms the kerbs along the access road are 6" to 8" high to protect the adjoining properties from flooding. From experience Fire Engine and Ambulance drivers refuse to mount these high curbs in case of damage to their vehicles, I'm not sure about AWA tankers. There was an Ambulance delayed in March/April of this year, and a Fire Engine going to White Roses to deal with their chimney fire a few years ago. Unfortunately, there are 3 properties adjoining this road that have no access to anything other than on-street parking. The grass verges further down the road are soft and unstable. Although there is parking for 2 vehicles on the site, they are line astern, so there will be a temptation to park on the road rather than be blocked in. There will also be no provision for visitors and deliveries

Anglian Water's statement that there is adequate capacity in the Burwell Catchment Area may be true, but it does not address the issue that there are frequent incidents of blockage in the transfer of sewage from Reach to the Burwell plant. The letter from No 8 dated 22 Jan in your Documents file has numerous photographs of the problem. It is a regular problem. AW sometimes send a tanker before we are aware of a blockage, otherwise it depends on No 14 phoning AW when their Loo backs up. 12A have had their downstairs WC turn into a fountain when AW are unblocking the pipes. Not a nice thought! This issue needs addressing before any more connections are made to the public sewers.

These are our main concerns. Please refuse the application.'

Councillor Harries asked Councillor McMillan what activities or plans there were for future archaeological investigations in Reach, especially around the old port. Councillor McMillan replied that they were trying to get Anglian Water to give up the treatment plant, but no one wanted to take a decision. The archaeologists in the village were very keen to get started, but they only had recreational access.

Councillor Trapp commented that if Anglian Water was sending tankers to drain the effluent, they must recognise that there was a problem. Councillor McMillan agreed the tankers came out regularly, but Anglian Water did not publicly recognise the problem.

At the invitation of the Chairman, Councillor Charlotte Cane, a Ward Member for Bottisham, addressed the Committee and made the following points:

- As noted by the Conservation Officer, speakers and many other respondents, this is in the Reach Conservation Area. It is close to the 16th century White Roses and other small historic dwellings;
- It would be the first post 19th century building to front onto The Hythe at this point;
- As you walk down the Lane towards Wicken Fen, you see White Roses set amongst far smaller historic buildings trees, and hedges. If approved, this proposal would intrude a 21st century building into an historical setting;
- Reach was undertaking a Neighbourhood Plan, part of which included a landscape appraisal. The report recommended avoiding development within the setting of important historic assets, including the Devil's Dyke and The Hythe as it undermined the landscape. It went on to say that Reach was an exceptional village for its tangible historic connection to the landscape and time-depth;
- Reach was special and had changed little in the last 100 years. They were only just starting to fully understand the major history and landscape, and The Hythe was a significant part of that landscape;
- The village had discussed with Anglian Water about taking over full management of the area Anglian Water owned as public open space;
- The Council was supportive of the Reach Neighbourhood Plan and the Wicken Fen Vision, and The Hythe should be afforded protection;
- The archaeology was just as important as the landscape;
- There had been a village green until the mid-18th century, when the current green was created by demolishing part of the Devil's Dyke. Recent bore holes showed that the area had been levelled by adding soil rather than removing it, so the archaeology had been protected. However, this would be disturbed by building foundations if the proposal went ahead;
- This could be a really important site dating back to Roman times, there had been evidence of Iron Age activity, and it could be particularly informative about the period covering the 8th – 10th centuries;
- There should be more non-intrusive investigations before any development was carried out. The County Council's Archaeologist had referred to the principle of development already having been established, but this was in 1972 before the significance of the site was understood;
- There was a sharp bend where The Hythe met Great Lane and visibility was poor and the County Council had underestimated the number of walkers and cyclists using the route;

- The road was very narrow and when cars were parked along there, larger vehicles, including those for the emergency services could not get through. They should be reducing vehicular access;
- The issues relating to water and sewage should be addressed before allowing more development, as gardens were regularly flooded;
- She was asking the Committee to refuse the application not only because of road safety and drainage, but mainly because of the archaeology' cultural and heritage issues.

Councillor Trapp asked if archaeological digs or surveys had been carried out in the past 20 years. Councillor Cane replied that there had been bore holes. Some years ago 9th century pottery had been found during building work on The Hythe. There had also been evidence of buildings in earlier periods, aerial surveys; there was lots of documentary evidence showing the area to be of archaeological/historical importance.

Councillor Jones wished to know how much the area had been levelled up, and how likely it would impact on archaeological surveys. Councillor Cane said the levelling was enough to protect the area day to day, but not if foundations were being dug.

The Senior Planning Officer commented on a number of points made during debate:

- The access was over highways land;
- A pre-commencement condition could be attached in respect of archaeology, foul and surface water;
- The proposal would provide 2 parking spaces, in line with the Design Guide.

Councillor Brown noted that the Conservation Officer had not made a recommendation in their comments dated 13th August and the Senior Planning Officer replied that the comments received were those as set out in her report. The issue with the dormer window had been addressed and it was now in line with the front elevation wall.

Councillor Huffer queried whether the Highways Authority had visited the site and seen the scale of the issue, but the Senior Planning Officer was unable to comment on this. Councillor Huffer said she thought that we were going to get them to visit sites, or let the Planning Committee know if they had not done so; the Chairman replied that there was nothing in the way of a commitment.

Councillor Schumann asked about the previous planning approval in 1972. He presumed that it had now lapsed, but wondered if any development had commenced so that the permission could be enacted. The Senior Planning Officer advised that in 1972 the application fell within the Newmarket Rural District Council area, but it had never been implemented or any work commenced.

Councillor Christine Ambrose Smith remarked that much had been said about archaeology and Members had spoken passionately about affordable housing. She realised that the proposal was not affordable housing but it was a modest property. No one had said how welcome a small property would be in the village and she wondered how welcome it would be.

Councillor Huffer said she had grave concerns, especially regarding access for the emergency vehicles, and the proposed dwelling would not improve the situation. It did not address the highway safety of the other residents and did not assuage her fears; she believed it was fundamentally wrong to put the dwelling in the proposed location.

Councillor Harries spoke of a natural bias in favour of modest sized houses, and people wanting to be able to stay in the village and live in a good house. However, this was a very important site of historical significance and he felt that development would be problematic. He was alarmed at the animosity shown towards the applicant and had sympathy for both speakers but he would vote against approval of the application.

Councillor Trapp had three principle objections: sewage and foul water (which would be for Anglian Water to solve); traffic access, and the site was of great archaeological significance and should be explored. He was very much in favour of small houses and families staying together, but he was not sure that the proposal was in the right place.

Councillor Jones said he had mixed feelings about the scheme and he gave greater weight to the drainage issues although they could be overcome. This was currently a private garden, so it was not going to be excavated or studied and he maybe did not give enough credence to architectural landscape. He questioned whether a small dwelling would diminish the local architecture and felt that parking would not really be affected as off-road parking would be provided. The proposal was not completely unreasonable.

The Chairman said he was familiar with Reach, having often travelled there by boat and walking up into to the village he felt that it was a very tranquil area.

Councillor Stubbs said that she too, had mixed feelings. It was only now that people were aware of the archaeological importance of the site and she wondered if the applicants maybe felt that they were being made to suffer because of this. She agreed with Councillor Ambrose Smith's comments about small dwellings and whilst open minded, she was still undecided about the proposal.

It was proposed by Councillor Ambrose Smith and seconded by Councillor Jones that the Officer's recommendation for approval be supported.

Councillors Brown and Harries expressed concern regarding the drainage issues, the latter saying that there should be a caveat stopping the proposal from proceeding until the problems were resolved. The Planning Manager reminded Members that a new developer could not be held accountable for

existing problems. This was an Anglian Water issue, separate to the Council as the Local Planning Authority and she would raise this with Anglian Water.

The Committee then returned to the motion for approval, which when put to the vote was declared carried, there being 6 votes for and 5 votes against.

It was resolved:

That planning application reference 19/01439/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report, and the deletion of Condition 10.

34. 19/01530/FUL – ABBEY YARD, BRINKLEY ROAD, BRINKLEY

Toni Hylton, Senior Planning Officer, presented a report (reference V54, previously circulated) which sought full planning permission for the erection of a dwelling following the demolition of an existing barn. A garage block was also proposed and the site would be accessed via the existing access which served the barn.

The application had been subject to amendments relating to reducing the overall height and floor area of the garage block and to remove the proposed access, utilising the existing access instead.

The site was located on the edge of the village in the countryside, outside the development envelope of Brinkley and outside, but adjacent to the Conservation Area of the village. There was an existing vehicular access to the field and agricultural building and an unsurfaced track leading to the building.

Tree Preservation Order E/04/472 (area A22) was relevant to Elm, Ash and Poplar trees standing in 1972 when the Order was made on the boundary of the site. The application site had an extant planning permission for the conversion of the existing barn to become a residential dwelling (application 17/01389/ARN refers)

It was noted that the application had been called in to Planning Committee by Councillor Charlotte Cane for the following reasons:

- Visual impact;
- The faux Georgian approach does not reflect the heritage of the village; and
- Fails to enhance the setting of the village.

A number of illustrations were displayed at the meeting, including a location plan, an aerial view of the site, the setting of the proposal within the area, the proposal and floorplan, and the proposed elevations of the dwelling and garage.

The main considerations in the determination of this application were:

- Principle of Development;

- Residential Amenity;
- Visual Amenity;
- Historic Environment;
- Highways; and
- Ecology.

The site was outside of the development envelope for Brinkley and as such was considered to be an unacceptable form of development in the open countryside, in accordance with Policy GROWTH2 of the Local Plan 2015. However, in September 2017 a Prior Notification application was approved for the conversion of the barn to form a residential unit. In determining the application, the barn was considered suitable for conversion; there were no highway safety issues, no contamination or flood risk issues that would restrict the conversion of the building.

The Senior Planning Officer stated that the permission for the conversion of the barn was valid until 27th September 2020 and it could become a residential dwelling in that time. As it was an extant permission, it was considered that a residential use on the site was acceptable regardless of it being outside the development envelope; this was a material consideration in the determination of the proposal. In the event that planning permission was granted, a condition requiring the demolition of the barn should be applied, and Policy HOU8 of the Local Plan 2015 should apply.

The Committee was shown a slide giving details of application reference 17/01389/ARN approved in 2017, and noted that when dealing with this Prior Notification application, windows and doors could be added for residential purposes, but the main structure of the barn had to remain intact.

With regard to residential amenity, the proposed dwelling was set 16 metres away from the shared boundary with Brinkley House and Brinkley Lodge, and the garage block would be approximately 2.5 metres away from the boundary. Brinkley House was approximately 33 metres and Brinkley Lodge approximately 103 metres from the boundary with the site. Taking these distances into account, it was unlikely the proposal would cause demonstrable harm to the adjoining neighbours' amenities by way of overlooking, being overbearing or restricting light. On this basis, the proposal was considered to meet the requirements of Policy ENV2 of the Local Plan 2015.

In connection with visual amenity, Members were shown several photographs of the barn and its surroundings along with a table which made a direct comparison between what already existed on the site and what was being proposed. It was considered that the proposal would comply with Policy HOU8 in terms of the increase in the development. The dwelling would be smaller than the existing barn in terms of footprint, but when the garages were included, it increased the footprint by 56.4 square metres. This increase was not considered to be significant enough to be contrary to the policy, and it was considered that

the proposal met the tests within paragraph 16 of the National Planning Policy Framework.

In terms of the historic environment, the proposed dwelling and garaging was in excess of 80 metres from the listed building, with a road in between. Visually it was considered that the setting of the listed building would not be harmed by the siting of a dwelling in this location. On this basis, the proposal was considered to maintain the historic character of the area in compliance with Policies ENV11 and ENV12 of the Local Plan 2015.

Speaking next of highways, the Senior Planning Officer said that there had been no objection to using the existing access for the dwelling as it was the same as for the barn conversion and no conditions were recommended. The proposal would provide in excess of two parking spaces with space for cycle storage for the dwelling, and all vehicle would be able to leave the site in a forward gear. The proposal was therefore considered to comply with Policy COM8 of the Local Plan 2015.

It was considered that the site could provide an overall net gain of biodiversity features in excess of those with the barn conversion. With a Prior Notification application, biodiversity and protected species were not a consideration, but this proposal would not only ensure mitigation for any potential species, but would also provide measures to enhance biodiversity through the provision of bat and bird boxes as well as enhanced landscaping.

There were trees to the boundary but they were in the ownership of Brinkley House. The application was supported by a Tree Survey which identified 11 trees, 2 of which were recommended to be felled. Other works were proposed to the remaining trees, to ensure their longevity as well as thickening the front hedge. The Trees Officer raised no objections to the scheme, and subject to the submission of a landscaping scheme, considered the proposal to be acceptable.

The site was in Flood Zone 1 and the details relating to foul and surface water could be dealt with by way of condition. It was considered that the proposal would not cause harm to the existing area by way of flooding or surface water and therefore complied with Policy ENV8 of the Local Plan 2015.

The Planning Officer concluded her presentation by saying that the principle of development had been accepted through the approval of the conversion of the barn in 2015 and 2017. The neighbours' amenities could be maintained as well as the visual character of the area, and there was no harm to the setting of the listed building or the Conservation Area. The application was therefore recommended for approval.

At the invitation of the Chairman, Lord Grimthorpe addressed the Committee and made the following points:

- They bought Brinkley House in 2012 and had been assured that there was no planning available on Abbey Road;
- This had gone from a barn conversion to a large mock Georgian house and it was considerably bigger in all respects;

- The original request was for 5 garages and an extra driveway, the original driveway had been removed and the garage reduced, but it was obvious where this was going. There would be more and more development and this was not a barn conversion;
- The footprint had been moved nearer to Brinkley House. The House was in the Conservation Area and would be adversely affected by the proposal;
- This mock Georgian house would be in a prominent position at the entrance to the village whereas the barn had been a long term feature;
- Visual amenity would not be maintained – it could not be further from the truth, and he objected to the proposal.

Councillor Ambrose Smith asked Lord Grimthorpe if he objected wholly to the barn conversion as he was clearly not drawn to the proposed dwelling. He replied that the barn conversion was what was originally agreed, so he had no objection to it as long as it was within those lines. It would maintain the attraction of the local area.

Councillor Trapp could not recall having seen a Georgian type house in Brinkley and he wondered how Lord Grimthorpe thought the scheme would fit in. Lord Grimthorpe replied that Brinkley House was built in 1815 and was therefore technically George IVth, rather than a large house overgrowing a barn. He did not think there were many Georgian houses in Brinkley.

Councillor Jones said that having looked at the plans, they suggested that the proposal would be quite screened. He asked how much of an impact the dwelling would have on Brinkley House. Lord Grimthorpe said he had not seen any screening plans, so could not comment. The dwelling would sit slightly south of his property so it would not be immediately overlooking. However, with the proposal being about 5 feet higher than the barn, there would be a significant lean-over.

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

- They purchased the land with the barn with an existing consent for its conversion to a house to create a family house for them;
- There were several changes that they wanted to make to the approved design to make it more suitable for them and they discussed these with the Council's Planning Officers;
- They wanted to improve the layout, make it more attractive, and ensure that it was very energy efficient;
- Out of the various discussions the possibility of demolishing and rebuilding the barn was considered;

- They submitted some ideas under the Council's pre-application procedure and discussed and worked on these plans with the Council's Planning Officers and the Conservation Officer;
- They settled on a Georgian style property but wanted to get the design right. A properly proportioned house not a poor copy. Quality was really important to them;
- There are a number of Georgian period properties within Brinkley and that style would not be out of keeping with the village;
- The proposed house was slightly larger than the approved barn conversion, not to gain space but just to make the proportions of the house and the rooms correct to the period;
- The existing barn was right on the boundary and it was suggested that the house should sit near to the middle of the site. Entering the village from that side you did not really notice the barn now and positioned in the middle of the site the new house would hardly be seen;
- This was an intended home for their family to live in. He was an experienced builder and they wanted to create a beautiful, well built, energy efficient home. They were determined to get all the details just right, working with the Council's Planning and Conservation Officers and their Architect;
- They believed that this proposal was preferable, more attractive, and more in keeping than the barn conversion that already had consent. They were passionate about the quality they wanted to achieve.

At the invitation of the Chairman, Councillor Charlotte Cane, a Ward Member for Bottisham, addressed the Committee and made the following points:

- Brinkley was a village set in the open countryside, with close links to the horseracing industry centred on Newmarket;
- The development was not only outside the development envelope, but also at a key gateway to the village, opposite a Grade II listed building;
- Brinkley House was not only an historic building but it was set in parkland which was on the County Council's Historic Parkland Register;
- The site was on the edge of the village with views towards Six Mile Bottom. One approached Brinkley coming through rolling countryside with a 16th century pub;
- She felt that under normal circumstances this application would not be approved. There had already been approval given for the barn conversion, but this went through a different process – Prior Notification. It seemed wrong to her that a process over which this

Committee had limited input could then set the expectation that the site was suitable for a dwelling, despite being outside the development envelope;

- A barn conversion would be less intrusive as it was already in the landscape. It was an agricultural building in an agricultural setting;
- The mock Georgian house would dominate the entrance to the village and give a false impression of where the village started in the 18th century;
- Whilst not in the Conservation Area, the application site abutted it and the dwelling would have a very different visual and physical impact on the landscape;
- The Local Plan described Brinkley as '*... a pleasant village set in rolling wooded countryside ...*' The Authority had recognised it as an important village and area;
- She did not think the proposal was appropriate, and planning permission should be refused.

Councillor Jones had not visited the location, but said he had looked at it on Street View and most of the building seemed to be obscured. On this basis he wondered how much of an impact it would make. Councillor Cane replied that it was hard to envisage, but as one came to the top of a bump in the road, one would be able to see further; the time of year would also affect the level of screening.

The Senior Planning Officer interjected to inform Members that Brinkley House was not listed, only the parkland.

Councillor Trapp said much had been made of the barn conversion becoming a full blown house, and he asked if it was normal for this to happen. The Senior Planning Officer assured him that it was, across the country and not just in our District.

Councillor Ambrose Smith's personal view was that a barn conversion would likely 'tick more boxes', but having purchased the barn to develop a more energy efficient property, maybe building 'from scratch' was a more attractive proposition. She could see both sides of the argument.

Councillor Harries was concerned about the fact that one could buy a piece of land outside the development envelope, where housing should not be built, but there was permission for a barn conversion. Now, through the 'back door', Members were being asked to approve something they would have refused. It was wrong to do things this way; the site was in the countryside and one would not expect to have a house there. He thought this was a clever way of getting added value for purchase.

In proposing that the Officer's recommendation for approval be rejected, Councillor Brown said he did not like the proposal and felt it should be refused permission because it was outside the development envelope and it did not meet the requirements of Policy HOU8. It was not sensitive to the setting of the area and the proposed dwelling was not on the same footprint as the barn.

Councillor Huffer seconded the motion for refusal, saying that she agreed with Councillor Harries' comments. This was a case of 'buyer beware' and the applicant knew what he was buying. She fully heard what the Senior Planning Officer was saying about this happening all over the country but it did not make it right; the barn fitted in with the agricultural setting.

Councillor Schumann said he wished it to be recorded that the Committee was considering the merits of the planning application and not the basis on which the owner had purchased the plot. He agreed with Councillor Brown that the proposal was of a different scale to the barn conversion and it did not comply with Policy HOU8. He warned that, in the words of former colleague Councillor Mike Rouse, 'if we continued to build properties with a fenland and farmland vernacular, we would have housing estates with corrugated roofs.' He was therefore minded to support refusal of the application.

Councillor Stubbs agreed with the comments made by Councillors Brown, Huffer and Harries and voiced her support for refusal.

When put to the vote the motion was declared carried, there being 10 votes for and 1 vote against. Whereupon,

It was resolved:

That planning application reference 19/01530/FUL be REFUSED for the following reasons:

- It is outside the development envelope; and
- It does not meet the requirements of Policy HOU8.

35. SUNNICA ENERGY FARM UPDATE

Andrew Phillips, Planning Team Leader, presented a report (reference V55, previously circulated) which provided Members with an update on the Draft Statement of Community Consultation (SoCC) relating to the proposed Sunnica development and to note the process.

Members were reminded that the Sunnica Energy Farm was a National Strategic Infrastructure Project (NSIP), proposed to be located in the east of the District, in close proximity to Isleham, Chippenham and Kennett. It also crossed into Suffolk and there was a cable route connecting to Burwell Electrical Sub Station.

The proposal was seeking to provide 500MW through solar panels and batteries, which would power approximately 100,000 homes.

The Planning Team Leader reiterated that East Cambridgeshire District Council was not the decision making body and was only a statutory consultee in the Development Consent Order (DCO) process. As the proposal was an NSIP, it would be determined by the Secretary of State.

Displayed at the meeting were slides illustrating the map of the current indicative site area, and the stages of the process. The latter gave a brief explanation of what would happen at each stage.

The Committee noted that the process was currently at Stage 1 and at Stage 3 (current time frame proposed 23rd February – 23rd March 2021), Officers would make representations on the part of the proposals that were agreed or challenged respectively. There would be an opportunity for Members to assist Officers in making these representations.

At Stage 4 (approximately April – May 2021), the Council would have 14 days in which to respond to this part of the process, needing to agree or disagree that the developer had undertaken their consultation in accordance with their Statement of Consultation. The Planning Manager would provide this response and would ensure that Members were kept updated.

Stage 6 was the Written Representation (approximately June 2021) and this was where the Council would have the opportunity to either support or oppose the proposed development. This would be a matter for Members and a decision of the Planning Committee.

In response to a question from Councillor Jones, the Planning Team Leader reminded Members that it would be for the Secretary of State to determine the application.

Councillor Huffer said that as a Ward Member for three villages, all of their Parish Councils felt that there was no direct communication, just writing to the Parish Council was not enough. This was not good enough and Sunnica had to meet with the Parish Councils and residents because they felt their concerns were not being addressed. This was affecting a great many people; they wanted green energy, but not at any cost and she wished her comments to be passed on as Sunnica seemed to be ignoring them. Sunnica needed to address each individual Parish Council.

The Planning Team Leader responded, saying that Sunnica were doing webinars and holding exhibitions and had provided a phone number to call.

Referring to page 4 of the Draft SoCC, Councillor Schumann said that Sunnica's consultation with the Parish Councils had been woefully inadequate; it had been very poor and caused grave concern. Sunnica should be discussing those fears and concerns face to face, consulting properly and providing the community with information they could understand. Sunnica needed to consult properly with information that was clear and that people could understand.

The Chairman said he was very concerned at the proximity of the proposal to the Kennett development and would certainly wish to have the opportunity to flag up some of his concerns.

Councillor Harries said he felt a great sense of solidarity and wished to fully associate himself with those comments made by Councillors Huffer and Schumann. There should be open, transparent and honest consultation with the local people. The developers should understand that they must not work on the cynical premise that the Secretary of State would decide the application. They had to win the hearts and minds of the people and be prepared to make amendments where necessary in response to concerns raised.

Councillors Trapp and Stubbs expressed their support for the comments made, and Councillor Schumann proposed that the comments be put forward as a formal response by the Planning Team Leader.

The Planning Manager reminded the Committee that the consultation had ended on 1st September 2020, as set out in the report to Committee. The Chairman then suggested that consideration be given to putting something together to express Members' wishes and the Planning Manager agreed that this could be done.

It was duly agreed that the Planning Team Leader would draft a letter on behalf of the Committee, with the Chairman and Vice Chairman reviewing it before it was sent.

It was resolved:

- i. That the draft Statement of Community Consultation (SoCC), as set out in Appendix 1 to the report, be noted; and
- ii. That the process for the Council's involvement in the Development Consent Order Process, as set out in paragraph 3.6 of this report, be noted.

36. PLANNING PERFORMANCE REPORT – JULY 2020

Rebecca Saunt, Planning Manager, presented a report (reference V56, previously circulated) which outlined the performance of the Planning Department for July 2020.

It was noted that there had been a slight decrease in the number of applications received.

The Department had received a total of 189 applications during July, representing a 10% decrease on July 2019 (210) and a 12.5% decrease from June 2020 (216).

4 valid appeals had been received, and 12 had been determined. Two of the appeals had been allowed in Witchford, but those Appeal Decisions were being challenged.

The Planning Manager recalled that Councillor Brown had asked for the Committee to be provided with more detailed enforcement statistics, and she advised that this was being dealt with and would be included in future updates.

The Chairman concluded the meeting by thanking Officers for providing measurements in imperial as well as metric form, and he congratulated the Planning Manager on a good meeting.

It was resolved:

That the Planning Performance Report for July 2020 be noted.

The meeting closed at 3:27pm.