



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee  
held in the Council Chamber, The Grange,  
Nutholt Lane, Ely on Wednesday, 4<sup>th</sup> July 2018  
at 2.00pm

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

Councillor Mike Rouse (Vice Chairman in the Chair)  
Councillor Christine Ambrose Smith  
Councillor Derrick Beckett  
Councillor Paul Cox  
Councillor Mark Goldsack  
Councillor Elaine Griffin Singh (Substitute for Councillor Lavinia  
Edwards)  
Councillor Bill Hunt  
Councillor Stuart Smith  
Councillor Lisa Stubbs (Substitute for Councillor Joshua  
Schumann)

### **OFFICERS**

Julie Barrow – Senior Planning Officer  
Jo Brooks – Director, Operations  
Maggie Camp – Legal Services Manager  
Richard Fitzjohn – Planning Officer  
Oli Haydon – Planning Officer  
Anne James – Planning Consultant  
Janis Murfet – Democratic Services Officer  
Rebecca Saunt – Planning Manager

### **ALSO IN ATTENDANCE**

Councillor Anna Bailey  
Approximately 16 members of the public

#### **18. APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Sue Austen, Lavinia Edwards and Joshua Schumann.

It was noted that Councillor Griffin Singh would substitute for Councillor Edwards, and Councillor Stubbs for Councillor Schumann for the duration of the meeting.

#### **19. DECLARATIONS OF INTEREST**

Councillor Hunt declared a personal interest in Agenda Item No.5 (18/00383/VARM – 30 Cambridge Road, Ely, CB7 4HL), being a next door neighbour. He said that he would speak from the public gallery and then

leave the Council Chamber prior to the discussion and voting on the application.

**20. MINUTES**

It was resolved:

That the Minutes of the Planning Committee meeting held on 6<sup>th</sup> June 2018 be confirmed as a correct record and signed by the Chairman.

**21. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that today was Senior Planning Officer Julie Barrow's last attendance at Planning Committee, as she would be leaving the Authority on 5<sup>th</sup> July. She was a long serving and hard-working Officer who had been involved with enforcement as well as dealing with applications. Having a very positive attitude, she was spoken of very highly by all.

On behalf of the Committee, the Chairman wished her well for the future.

**22. 18/00378/FUL – 30 CAMBRIDGE ROAD, ELY, CB7 4HL**

Julie Barrow, Senior Planning Officer, presented a report (reference T41, previously circulated) which sought consent for the demolition of 30 Cambridge Road, Ely and the construction of a replacement building containing four floors of accommodation, including the basement, and making up nine apartments and a store.

On a point of housekeeping, Members were asked to note a correction to the Officer's report. The occupier of 1 Houghton Gardens had objected to the proposal on the grounds that it would significantly impact on her privacy. She also expressed concern that an historic building within a Conservation Area was going to be demolished.

The site was located on Cambridge Road, Ely within Ely Conservation Area, a designated heritage asset for the purposes of the National Planning Policy Framework (NPPF). It was in a predominantly residential area, adjoined to the south by the dwelling at 32 Cambridge Road, and to the north and west by dwellings in Houghton Gardens. Opposite the site were further residential properties fronting Cambridge Road.

The building known as No. 30 Cambridge Road was included on the Council's adopted Buildings of Local Interest Register, a non-designated heritage asset for the purposes of the NPPF.

It was noted that the application had been brought before the Planning Committee at the discretion of the Planning Manager given the history of the site.

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

The main considerations in the determination of the application were:

- Principle of Development, including visual impact and cultural heritage;
- Residential Amenity;
- Highway safety & parking; and
- Biodiversity & Ecology.

This part of Ely Conservation Area derived its significance from its historic and aesthetic qualities. The building was a good example of the Queen Anne revival style and was the only one of its style within the vicinity. It was set back from the highway, but was still visible within the street scene. The replacement building would be located on a very similar footprint and would be of a similar scale to the existing building.

Once completed, the development would preserve the spacious feel of Cambridge Road but the historic significance of the existing building would be lost with a modern building in its place. It was therefore considered that the proposal failed to preserve or enhance the character and appearance of this part of the Conservation Area and would result in a high level of harm on a local level.

Historic England had commented on the proposal and was of the view that the proposal would result in the total loss of the Victorian craftsmanship and detailing on the building, and demolition would result in serious harm to the Conservation Area.

The Senior Planning Officer said that a structural report had been submitted with the application, suggesting that the existing building was not beyond reasonable repair. Although attention would be required in order to ensure it became structurally sound, it could be brought up to modern standards, negating the need for demolition.

It was considered that the building made a positive contribution to the character and appearance of the Conservation Area and was of high architectural, historic and visual significance. The proposal included a comprehensive scheme for the redevelopment of the site, but it did not outweigh the elements of Policy ENV11, as set out in paragraph 7.2.5 of the Officer's report. On this basis, the conflict with Policy ENV11 weighed heavily against the scheme.

With regard to residential amenity, Members noted that the occupier of 32 Cambridge Road had raised concerns that the side windows proposed in the replacement building would lead to an unacceptable level of overlooking and also that the scheme would be overbearing.

There was a separation distance of 18 metres between numbers 30 and 32 Cambridge Road, with a number of mature trees between the buildings, including two protected Oak trees. Any overlooking between the

dwelling would be minimal and given that the proposed building was of a similar height, it was considered that it would not appear overbearing or cause any significant loss of light.

In connection with 1 Houghton Gardens, this dwelling was located approximately 11.5 metres from the side elevation of the proposed building. It was considered that the scheme would not give rise to unacceptable levels of overlooking, and would not appear overbearing or cause a significant loss of light.

A Construction Environmental Management Plan (CEMP) to minimise noise and disruption from the development could be secured by condition.

In terms of highway safety and parking provision, Members noted that the Local Highway Authority had raised no objections. Improvements would be made to the existing access off Cambridge Road and 17 parking spaces were proposed to the rear of the building, with two visitor spaces and one additional space to front. This complied with the requirement to provide two spaces per dwelling.

The proposal had the potential to affect a number of protected trees both within the site and on adjoining land. The landscaping arrangement at the front of the site was supported by the Trees Officer, but the continuous use of the covered parking area had the potential to damage the roots of adjacent protected trees. The proposed parking area surrounded a significant Beech tree and debris falling from the tree would make maintenance of the cover difficult. This 'nuisance' caused by the Beech tree could lead to pressure for its removal by residents.

The proposal included the loss of the existing pond and the suitability of the site for Great Crested Newts was therefore considered as part of the application, as the matter had been raised when development was proposed in 2012. An Ecology Survey was submitted with the application, but this drew on previous reports prepared for the site and the County Council survey conducted in 2014 was now considered to be out of date. Natural England had been consulted and their Standing Advice on protected species (which was now contained within the NPPG) stated that a full survey should be carried out even if a relevant pond only held water some of the year and if large parts of the site included refuges, grassland and scrub that was suitable habitat, all of which were present on the site. It was therefore considered that the current proposal failed to comply with Policy ENV7 of the adopted Local Plan and Policy LP30 of the Submitted Local Plan.

Speaking of other material considerations, the Senior Planning Officer said that bin store details, a contamination land study and drainage information could be dealt with by conditions. The scheme would be subject to the Community Infrastructure Levy (CIL).

In conclusion, it was considered that the adverse impacts of the proposal on the Conservation Area and a locally listed building together with the adverse effects on biodiversity and ecology significantly and demonstrably outweighed the benefits of the scheme and the application was therefore recommended for refusal.

The Chairman invited Mr John Borland to address the Committee in his capacity as a supporter of the application, but Mr Borland said he would defer and allow the whole 5 minutes to be used by Mr Philip Kratz, who was speaking on behalf of the applicant.

Mr Kratz made the following points:

- Due to the outcome of a recent Planning Appeal, the Council could no longer be considered to have a 5 year supply of land for housing;
- This property was not a designated heritage asset;
- The Conservation Area is a designated heritage asset could potentially be impacted and there was therefore a statutory duty to regard the character and appearance of the area;
- This area was totally residential and it would not change, and the photographs displayed gave a good idea regarding visibility;
- It is a large red building and post development it would also be a large red building. The applicant would be content to have a condition imposed requiring materials to be re-used;
- The existing building was not 200 years old and it had no intrinsic value to be listed;
- The proposal would cause no significant or demonstrable harm because the new building would be approximately the same as the existing. The impact would be slightly better because it moved away from No. 32 Cambridge Road;
- In the absence of a 5 year supply of housing land, other policies in the adopted Local Plan should be considered out of date;
- The proposal was not just about 9 new homes being built to 21<sup>st</sup> century standards, it was also about the socio-economic benefits;
- The concerns raised had been met, and a condition could be imposed in respect of Great Crested Newts.

Councillor Beckett noted that a lot of work would be required structurally and he asked if Mr Kratz's client believed the cost would outweigh rebuilding it. Mr Kratz replied that the cost of repairs would be disproportionate in comparison to the benefits of a rebuild.

In response to a question from Councillor Cox about occupancy, Mr Kratz stated that the property was a temporary House of Multiple Occupation (HMO), and had formerly been used by the County Council.

At the invitation of the Chairman, Councillor Bill Hunt spoke in opposition to the application and made the following comments taken from a prepared statement:

*'All regret the pulling down of old buildings.'*

*Croylands is the oldest and most significant building in this part of the Conservation Area and this unique Queen Anne Revival ex-Vicarage is listed in ECDC's own Register of Buildings of Historic Interest, which was passed by Full Council in January 2017 (Unanimous).*

*A3 'Substantially complete and unaltered and a good example of the style'*

*C3 'A rare or pioneering example of a building type or design'*

*E2 'Identifiable importance to the historic design.'*

*Both the previous and current Conservation Officers say that Croylands is a Heritage Asset and is included in the Register due to its 'architectural quality'.*

*A letter dated 2<sup>nd</sup> May 2018, from Historic England to ECDC quotes the Town & Country Planning Act 1990 with reference to Conservation Areas: 'Could result in a serious level of harm to the significance of the Conservation Area in terms of National Planning Policy Framework. 30 Cambridge Road positively contributes to the Conservation Area. The demolition of No. 30 would result in the total loss of these features and also the total loss of a substantial building that dates from this phase of Victorian development.'*

*The letter goes on to point out that NPPF states 'The conservation of heritage assets is a core principle of the planning system and places great weight on the conservation. The demolition of 30 Cambridge Road would result in serious harm to the Conservation Area and as the application currently stands there is no justification for this impact.'*

*The Council's Policy ENV13 states 'The Council will resist development that will involve the demolition of buildings or structures on the local register.' The proposal is total demolition. Proposals to demolish all or part of a building or structure on the local register will not be permitted other than in wholly exceptional circumstances.*

*Page 14 (para 7.2.6) and page 16 (para 7.2.15) of the report both say that the footprint of the proposal is as existing or similar. A study of the applicant's own drawing EDG/15/59/201 (at scale 200:1) clearly shows the new application site as about 60% - 70% larger footprint than existing – so further conflict with the Conservation Area.*

*The new Conservation Officer has stated that she cannot identify any wholly exceptional circumstances either in the Heritage Statement or the Structural Engineer's report. She cannot identify where the wider public benefit would arise from demolition and rebuild as the property is occupied and could be renovated.*

*Both the previous and current Conservation Officers completely agree that once you demolish something, even if an exact replica is built, you have lost that significance associated with the original building/structure. Hence the need for circumstances to be exceptional.*

*Any Local Planning Authority has an absolute obligation to observe the 1990 Act and in a case involving the Secretary of State for Environment v South*

*Lakeland District Council, it was established that 'preserving' meant 'doing no harm.'*

*I urge Members to agree with all 3 reasons in the strong Officer recommendation for refusal.'*

At this point the Chairman informed Councillor Hunt that he had exhausted his allocated 5 minutes of speaking time.

Councillor Beckett said that he had not spoken to Councillor Hunt about this application at all, but regarding the previous application, he wished to know what Councillor Hunt thought would happen as it was not financially viable to repair the building. Councillor Hunt replied that it was possible to restore the property and the owner was aware of this when he purchased it. It was currently occupied and the application warranted refusal.

Councillor Goldsack commented that he had not seen the larger footprint mentioned by Councillor Hunt in the documents presented.

At the invitation of the Chairman, Councillor Anna Bailey spoke in opposition to the application and made the following points:

- She objected to the demolition because this was a key property, designed by a notable architect and it was the only Queen Anne Revival style building in Ely;
- The property was once the vicarage to the Parish and therefore had historical connections;
- Within the NPPF it was twice a Heritage Asset: firstly, being in the Conservation Area, and secondly because it was on the ECDC Register of Buildings of Historic Interest;
- The Local Planning Authority (LPA) had advised that the building would have to be retained and there had been no material changes since the previous application. In fact the case for retaining the property had been strengthened by its inclusion on the Register;
- Paragraph 128 of the NPPF stated that in determining applications, the LPA should require an applicant to describe the significance of any Heritage Assets affected, including any contribution made by their setting. The applicant had not attempted to do this;
- Paragraph 132 of the NPPF spoke of the need to give great weight to an asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. As heritage assets were irreplaceable, any harm or loss should require clear and convincing justification. Demolition of the property would not comply with this requirement and the applicant made no justification for it;
- There was no compelling need to turn the house into individual units and Members were asked to consider this carefully.

Councillor Ambrose Smith said she thought of the house in more of a social role than as a residence. Councillor Bailey responded, saying that the

County Council sold the property as it was not useful, and since then it had been used as a residence.

Councillor Goldsack queried Councillor Hunt's statistics regarding the size of the footprint, as according to the plans, it was only slightly larger. The Senior Planning Officer reminded Members of the dimensions, adding that there were light wells around the building and these had not been included in the calculations; she did not know how Councillor Hunt had arrived at his figures. The Chairman remarked that he had noticed some squaring off when Members made their site visit.

The Chairman believed that determination of the application hinged on whether the property was of historical significance and whether or not it should be demolished. Mr Kratz had said it would be replaced with another red brick building and the question was about how much weight should be given to historic significance.

Councillor Goldsack concurred, noting that the City of Ely Council had recommended approval of the application. They were the custodians of the City and had not put much weight on the building's historic significance. He did not know how much weight should be attached to a non-designated building of local interest, but he believed the property to be eminently saveable.

Councillor Beckett said beauty was in the eye of the beholder and he did not think this was a particularly nice example of a Victorian building. In its current state it was rather sad and he did not see the need for it to remain, but substantiating its historic value would be difficult. However, its link to the Lady Chapel gave it weight.

The Chairman informed the Committee that the house was built for the Rev. George Bulstride, Vicar of Holy Trinity, in a period when people were given to making very grand statements. It was later sold to a brewing family, and when they had a change in their fortunes, it was sold off in plots.

Councillor Stubbs reminded the Committee that the community had also had input to the drawing up of the Buildings of Local Interest Register and this appeared to have been forgotten. To her, replacing like with like did not make sense and both the Conservation Officer and the Senior Planning Officer had said that loss of the property would lead to serious harm. Councillor Bailey had also said that there had to be a clear and convincing reason for demolition, and the building was still strong and viable.

Councillor Stubbs concluded by saying that the proposed demolition was contrary to local and national policy and she would support the Officer's recommendation based on the summary in the report.

Councillor Cox said that No. 30 was a dilapidated building that had not survived well as a family home. He believed it would need someone interested in houses of that period to restore it, but he did not think it would happen.

Councillor Griffin Singh felt that Mr Kratz had summed up the essence of the application. As a member of the City of Ely Council she would lament the loss of the building and she too believed there was plenty of scope to refurbish it. Speaking of the site as a whole, there was plenty of scope to

develop at the back of the site and the existing building could make a beautiful boutique hotel or B&B. The application did not meet the criteria for demolition, which if allowed, would make an absolute mockery of having a Conservation Area as the situation was known when purchasing the property. To her mind, this was nothing more than someone trying to make a 'fast buck.'

Councillor Smith expressed his support for the recommendation for refusal.

Councillor Ambrose Smith said that whilst agreeing with Councillor Griffin Singh, she could see the arguments for having 9 homes, although a hotel or B&B would be a better use of the building.

Councillor Beckett commented that there was no statutory duty to maintain the building. After the previous application was refused in 2012 nothing was done to the house and he felt that there would be little to gain if permission was refused again. He thought that granting approval could result in something useful with an enhanced look.

In proposing that the Officer's recommendation for refusal be supported, Councillor Stubbs queried the point of Members being there if they were prepared to let the property fall down; Councillor Griffin Singh seconded the motion.

When put to the vote, the motion for refusal was declared carried, there being 4 votes for and 3 abstentions. Whereupon,

It was resolved:

That planning application reference 18/00378/FUL be REFUSED for the reasons given in the Officer's report.

*There was a short comfort break between 3.15pm and 3.20pm.*

**23. 18/00383/VARM – SOLAR FARM, GOOSE HALL FARM, FACTORY ROAD, BURWELL, CB25 0BN**

Anne James, Planning Consultant, presented a report (reference T42, previously circulated) which related to the variation of Condition 3 (operational life) of a previously approved application, reference 15/00723/ESF, for the installation and operation of a solar farm and associated infrastructure at Goose Hall Farm. The Committee had granted permission on 6<sup>th</sup> November 2015, and it had not yet been implemented.

The purpose of this application was to extend the operational life of the solar farm by 10 years to 40 years and 6 months from the date of the first export of electricity. The application had been submitted as a direct result of the stance the Government had taken to significantly alter the subsidy supports available to solar farm developers. As a consequence, the scheme would be built on a 'subsidy free' basis.

The site was located on agricultural land to the north-west of Burwell and there had been no significant change in the character of the surrounding

area which remained predominantly farmland with scattered scrub and hedgerow. Members were reminded that the application site lay within Flood Zones 1-3 and therefore parts of the site would be liable to flooding.

It was noted that the application had been brought to Planning Committee in accordance with the Council's Constitution, as it was for photovoltaic cells not located on domestic or commercial buildings over 200 square metres.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the current wording of Condition 3 and the proposed new wording of the Condition.

The main consideration in the determination of the application was to reconsider whether there has been a material change in circumstances during the period since planning permission was first granted in 2015

The Planning Consultant said that the proposed wording of Condition 3 was as follows:

*'Within 6 months of the cessation of energy generation from the site, or a period of 40 years and 6 months following the first export of electricity, whichever is the sooner, all infrastructure associated with the Solar Farm (above and below ground) will be removed from the site and the former agricultural use reinstated. The date of first export of electricity shall be provided to the Authority in writing within 1 month of the event'*.

A Landscape Maintenance Plan had been submitted with the application, having been produced in response to Condition 7 of 15/00723/ESF. The Plan presented a number of proposed mitigation measures including the reinforcement of the existing hedgerows with those of a similar species, tree planting and the use of wildflower meadows.

The extended operational period of the solar farm could still be accommodated on the site without significant harm to visual amenity or the character of the surrounding area. It was therefore considered that the proposal met the requirements of Policy ENV6 of the Local Plan 2015 and Policy LP24 of the Submitted Local Plan.

With regard to residential amenity, it was noted that there had been little change in respect of the relationship with residential accommodation in the vicinity of the site since planning permission was granted in 2015. Whilst the scheme would be in situ over a longer period of time, it was not considered that there would be any additional impact on residential amenity; it complied with Policies ENV2 of the Local Plan 2015 and Policy LP22 of the Submitted Local Plan.

As there had been no material changes since permission was first granted, and emerging local and national policy supported the generation of renewable energy, the extension of the operational life of the solar park was still considered to be a significant benefit which was not significantly or demonstrably outweighed by any adverse impacts.

At the invitation of the Chairman, Mr Owen Horrell, agent, addressed Members and made the following remarks:

- The Government had substantially altered the subsidies since 2015;
- He wanted to ensure that this scheme was viable and that was why permission was being sought to vary Condition 3 to 40 years and 6 months;
- All other aspects of the application were the same as before and granting permission would avoid premature decommissioning of the solar farm;
- The site would be well established and maintained and have a very limited impact;
- Renewable energy equalled sustainable development, and the scheme was financially viable.

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

It was resolved unanimously:

That planning application reference 18/00383/VARM be APPROVED subject to the recommended conditions as set out in the Officer's report.

#### **24. 18/00474/FUL – SITE REAR OF 19 SAXON DRIVE, BURWELL**

Oli Haydon, Planning Officer, presented a report (T43, previously circulated) which sought consent for the erection of a detached two storey dwelling following previously approved applications for a dwelling on the site under references 17/00734/FUL, 16/00773/VAR and 15/00675/FUL.

Amendments were received as part of the dwelling's approval under 17/00734/FUL to remove the garage and habitable roof space. In spite of this, these elements had now been reinstated for the purposes of this application.

The site was located within the established development framework of Burwell and comprised part of the side and rear garden to 19 Saxon Drive. It was at the end of the cul de sac of similarly designed residential dwellings. The land beyond the eastern boundary was in use as allotments and the land to the south of the site formed part of Burwell Museum and Windmill.

It was noted that the application had been called in to Planning Committee by Councillor David Brown as '*the disagreement is of a subjective matter.*'

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

The main considerations in the determination of the application were:

- Principle of Development;

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

Members noted that as the site was within the established development envelope for Burwell and in close proximity to the services and facilities on offer in the village, the principle of residential development was deemed acceptable. The site also had the benefit of multiple existing planning permissions for a new detached dwelling.

With regard to residential amenity, no windows had been proposed in the western elevation or on the first floor of the northern elevation, thereby negating any overlooking to the other properties in this part of Saxon Drive.

The previous scheme was approved on the basis that the removal of the garage element reduced the impact on the neighbouring residents to acceptable levels. For the garage's reinstatement to then be approved would cause this level of harm, that was previously considered unacceptable, to re-emerge. It would also amount to a notable inconsistency in the recommendations of the Planning Department.

Speaking next of visual amenity, the Planning Officer reiterated that a level of visual impact had been established through recent permissions. However, the reinstatement of the garage would result in the dwelling overcrowding the plot with a density that was uncommon in the immediate locality. This would lead to a significant and demonstrable level of visual harm discordant with the open nature of the existing site and the adjoining rear gardens.

In connection with other material matters, Members noted that the Local Highways Authority had raised no concerns, subject to conditions. Contamination, tree protection and drainage could be conditioned. County Archaeology had considered the findings of a previously submitted schedule of works and had no additional site requirements as part of this application.

The Planning Officer concluded by saying that it was considered the proposal would lead to significant and demonstrable harm to both neighbouring occupiers and the visual character of the area. The benefits of the scheme, including the provision of a new dwelling, were outweighed by the harm caused, and the application was therefore recommended for refusal.

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

- He believed the existing permission to be more deserving regarding the overbearing impact;
- This application sought to improve the scheme by reducing the mass and overlooking and improve the quality of the development;
- The timber-boarded side projection would assimilate well with Burwell Museum;

- It would reduce the perceived mass and respect the character of the area and would not be alien within that context;
- Numbers 5 and 10 Saxon Drive would be separated by 10 metres. The proposal would be 18 metres from the rear elevation of 17 Saxon Drive, at an oblique angle;
- The scheme was not considered so overbearing as to warrant refusal;
- There would be no intervisible windows within 20 metres of one another, as recommended in the SPD Design Guide;
- The comments in the Officer's previous report held weight;
- With regard to the dispute over land ownership, the Land Registry showed that the applicant was the owner;
- The report mentioned density and overbearing. This proposal had a density of 25 dwellings per hectare, would only cover 25% of the site and exceed the recommendations for plot size in the SPD Design Guide;
- He believed that this scheme was a considerable improvement and would be a quality development.

Councillor Stubbs wished to know why the garage had been reinstated when the previous application had been approved. Mr Fleet thought this proposal to be a better development, with a better design and elevation of brickwork. Councillor Stubbs then asked him why he thought this application would be approved and Mr Fleet replied that the existing permission had established the principle. He hoped he could count on the support of Members for a quality development.

Councillor Goldsack enquired about the percentage of build on the plot, noting that while the overall plot size had reduced, the footprint had increased to 25% of the overall size. Mr Fleet was unable to provide a figure but said it was a smaller percentage.

In response to a question from Councillor Hunt, the Planning Officer confirmed that the proposal was bigger and the site smaller in comparison to the existing permission. The application had been resubmitted to test how the garage would be viewed. The narrow access had to be taken into account and also how the property related to the garden.

The Chairman reminded the Committee that the application should be considered on its own merits, regardless of any other scheme that could be built on the site.

Councillor Hunt thought that while percentages were helpful, this was a good example of why having site visits were better. The approach to the site was just a roadway and he felt the proposal to be over-cramped and overbearing.

Councillor Ambrose Smith said she was not a fan of huge gardens and she found the design to be 'interesting'; she was minded to support approval of the scheme.

Councillor Goldsack commented that Members had been partly disadvantaged because they had not been able to gain access to the plot. However, he believed the design to be substantially improved and while the access was narrow, it was part of a decent plot. He too was minded to support approval.

Councillor Beckett said he concurred with Councillor Hunt, considering the scheme to be overbearing on the site.

Councillor Goldsack duly proposed that the Officer's recommendation for refusal be rejected and that the application be granted planning permission. Councillor Cox seconded the motion, saying that he was happy with the scheme as a percentage of the total site.

When put to the vote, the motion for approval was declared carried, there being 5 votes for and 4 against. Whereupon,

It was resolved:

That planning application reference 18/00474/FUL be APPROVED for the following reasons:

- Members believe that the proposal conforms to the East Cambs Design Guide guidelines;
- It is a significantly improved design; and
- There will be little impact on the adjacent site with regard to fenestration and access of the proposed development.

It was further resolved:

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

## **25. 18/00496/FUL – LAND ADJACENT TO 12 BACK LANE, WICKEN**

Richard Fitzjohn, Planning Officer, presented a report (T44, previously circulated) which sought full planning permission for the erection of a detached two storey dwelling, with a detached two storey garage sited forwards of the proposed dwelling. The proposed dwelling and garage would be served by a new vehicular access onto Back Lane and would have a driveway with a parking and turning area for more than two cars.

It was noted that there were extant permissions for a dwelling on the site: 16/00245/FUL which included an additional detached dwelling on the adjacent parcel of land to the east, and 16/01806/FUL which related solely to a single dwelling on the current application site.

The site was located on the south side of Back Lane, outside the established development framework for Wicken and it comprised open uncultivated land that was previously used for arable farming.

The application was called in to Planning Committee by Councillor Mike Rouse so that Members might discuss what was a good or appropriate design for Back Lane. Councillor Joshua Schumann had also stated that he

was happy to support Councillor Rouse's request for the application to be called in.

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; and
- Character and appearance of the area.

The Planning Officer stated that as there were extant permissions on the site, the principle of development had already been established and was therefore considered acceptable.

With regard to the impact upon the character and appearance of the area, Members noted that the height and scale was considered acceptable, taking into account the size of the dwelling which could be constructed under the extant planning permissions on the site. However, it was considered that the contemporary design did not relate sympathetically to, or preserve, the traditional character and appearance of the surrounding area. Furthermore, the contemporary design was not considered to be of a high enough quality or architectural merit to enhance the character and appearance of the area.

It was therefore considered that the design of the proposed dwelling would result in significant visual harm to the more traditional character and appearance of the surrounding built form and sensitive rural setting.

Speaking next of the proposed garage, the Planning Officer reminded Members that the East Cambridgeshire Design Guide Supplementary Planning Document stated that garages should ideally be positioned to the side and rear of the dwelling, and that it would rarely be acceptable to construct a garage between the front elevation and the highway. Furthermore, outbuildings should be of the minimum size necessary; and, in countryside locations, they should not have the appearance/volume of a dwelling, as this would inevitably give rise to an unacceptable presence in the countryside, contrary to national policies to protect it.

The proposed garage was considered to be excessive in height, scale and massing for a domestic outbuilding. It was also of an unsympathetic design for a domestic outbuilding, and would create the appearance of a separate dwelling. Being sited forwards of the proposed dwelling, it would appear visually dominant within the surrounding rural landscape and would not comply with Design Guide SPD guidance.

In connection with other planning considerations, it was noted that no harm would be caused to nearby listed buildings due to the separation distance, height and siting of the proposed dwelling. There would be no significant impact on residential amenity, and a Tree Protection Plan would protect the boundary trees.

It was further noted that the Local Highways Authority had raised no objections.

The Planning Officer concluded by saying that although the site was in a sustainable location and the principle of development for a dwelling has already been established, on balance it was considered that the benefits of the proposed development were 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 Jamie Palmer, agent, and Ms Emily Knight, one of the applicants, addressed the Committee and made the following points:

Mr Palmer:

- Whether or not the contemporary design related to the character of the area was a subjective matter;
- The design had been chosen by the applicants, who had invested heavily in the site and they wanted to live in a property that had been judged on its own merits;
- They had an outdoor lifestyle and needed the storage in order to reduce unnecessary clutter;
- Wicken Parish Council had no objections to the scheme provided it did not dominate the other styles of property in the area;
- This proposal would be smaller in scale and set back 7 metres from the previous application. The ridge height would be 5.6 metres, and no higher than a 35% pitch roof;
- He did not believe it would result in a dominant feature and it would not cause harm to the listed buildings;
- Considerable thought had been given to the design so as not to upset the neighbours and they had raised no concerns;
- The materials pallet was traditional and the glazed areas would look out over beautiful views;
- This was an opportunity to create a stand-alone property.

Ms Knight:

- The proposal would meet the functionality of their lifestyle and long term needs; and
- The neighbours were happy with the proposal.

Councillor Goldsack, having noted that the floor coverage was less than in the previous application, asked Mr Palmer if this included or excluded the garage. Mr Palmer replied that the floor covering might exceed, but the last application had included a triple garage.

Councillor Hunt declared himself to be somewhat confused and asked the Planning Officer if he would have preferred the garage to be more set back behind the line of the house. The Planning Officer replied that the

application was being recommended for refusal due to its height, scale and mass, and also because the garage would be in front of the front elevation of the house. Councillor Hunt then asked whether vehicles would be able to access the back of the plot if the garage was to be positioned at the side of the dwelling and he was advised this would be possible, via the side of the garage.

The Chairman said he had called in the application because of the issues around whether or not the dwelling was too large, and the position of the garage. He believed that beauty was very much in the eye of the beholder, and the applicants wanted a modern contemporary building.

Councillor Ambrose Smith felt that with this being a large house on a large site, it could almost lend itself to someone wishing to work from home, and she had no objections regarding the garage. She had noted there were dwellings from every era along Back Lane and thought that the proposal would be absolutely fine.

Councillor Cox agreed that the proposed dwelling had an unusual appearance and the garage made it a bit wider. However, the house would be well set back and he did not have a problem with it.

Councillor Beckett said the design was interesting and it would not necessarily look out of place. However, he could not agree with the garage because it was too big and looked like a separate dwelling; it could be converted into another dwelling.

Councillor Smith spoke against the proposal, saying it was not in keeping with the existing thatched cottages. It would cause visual harm and he could therefore not support approval.

Councillor Goldsack declared his support for the proposal, saying he 'absolutely loved' the innovative design. He thought the issue of design was just a generational thing, and that similar concerns would have been raised about some of the existing properties in the locale at the time they were built. The large plot left room for vehicular access and a condition could be imposed regarding conversion of the garage to a house.

Councillor Hunt said he too could not see the problem with having a big house on a big plot. He reminded Members of the Town & Country Planning Act 1947, which assumed that consent should be granted unless there was a good reason not to. On balance, he was minded to support approval.

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

When put to the vote, the motion was declared carried, there being 5 votes for, 3 against and 1 abstention.

It was resolved:

That planning application reference 18/00496/FUL be APPROVED for the following reasons:

- Members believe that the contemporary design will not have an adverse effect on the street scene;
- They are satisfied with the scale and mass of the proposal; and
- They believe the design is of a high quality.

It was further resolved:

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

## **26. PLANNING PERFORMANCE REPORT – MAY 2018**

The Planning Manager presented a report (T45, previously circulated) which summarised the planning performance figures for May 2018.

The Department had received a total of 199 applications during May which was an 11% decrease on May 2017 (224) and a 1% increase from April 2018 (201).

There had been concern that the Council's lack of a 5 year supply of land for housing would see a significant increase in the number of applications being received. While some applications had been resubmitted, the situation was not as bad as had been expected.

Most targets were being achieved, with 100% of householder applications having been determined on time.

There had been 4 valid appeals received and 2 appeals decided.

Members noted that the new Conservation Officer was only available one day per week until August. Ms Barrow's post (Senior Planning Officer) had been advertised, but recruitment was unsuccessful and so the post would be re-advertised. The agency worker would remain in post until the end of 2018

Enforcement remained busy with 32 new complaints registered and 6 cases closed. An Enforcement Notice had been served in respect of the works adjacent to 8A The Rampart at Haddenham, as at present the planning permission, which was approved by the Committee, had not been implemented and the use constituted an unlawful use.

It was resolved:

That the Planning Performance report for May 2018 be noted.

The meeting closed at 4.20pm.