



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee  
held in the Council Chamber, The Grange,  
Nutholt Lane, Ely on Wednesday, 5<sup>th</sup> December 2018  
at 2.00pm

**PRESENT**

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

**OFFICERS**

Maggie Camp – Legal Services Manager  
Richard Fitzjohn – Senior Planning Officer  
Barbara Greengrass – Planning Team Leader  
Toni Hylton – Planning Officer  
Catherine Looper – Planning Officer  
Andrew Phillips – Planning Team Leader  
Rebecca Saunt – Planning Manager  
Adrian Scaites-Stokes – Democratic Services Officer

**ALSO IN ATTENDANCE**

Councillor Mike Bradley  
Mr Barber, Suffolk County Council  
18 members of the public

**90. APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Committee Member Councillor Sue Austen and from Councillor Michael Allan, who had called in one of the applications.

There were no substitutions.

**91. DECLARATIONS OF INTEREST**

Councillor Mark Goldsack declared a prejudicial interest in agenda item 12, but reserved the right to speak on that item.

Councillor Joshua Schumann declared a personal interest in agenda item 10, as he knew the applicant, but would treat the application with suitable discretion.

**92. MINUTES**

It was resolved:

That the Minutes of the meeting of the Planning Committee held on 7<sup>th</sup> November 2018 be confirmed as a correct record and be signed by the Chairman.

**93. CHAIRMAN'S ANNOUNCEMENTS**

- The Chairman welcomed Angela Briggs as Planning Team Leader and Emma Barral as Planning Officer, plus the new Trees Officer Kevin Drane, to the Authority.

**94. 17/01838/ESF - LGC LIMITED, NEWMARKET ROAD, FORDHAM**

Barbara Greengrass, Planning Team Leader, presented a report (reference T145, previously circulated) which sought permission for a hybrid planning application (part outline, part full) for demolition, alteration, extension and erection of buildings and other works at a site in Fordham.

The Planning Team Leader introduced Mr Barber from the Highways Department of Suffolk County Council who could answer any questions relating to the A14 junction. It was pointed out that in paragraph 7.87 it should read that the proposed development would comply (not 'would not').

The application was for a site south of Fordham village and for mixed uses, Class B1 with ancillary buildings under Classes A1, A3 and D2, for offices/laboratories. It would be a phased development with full applications for Phases 1 and 2, and outline applications for Phases 3, 4 and 5. Overall, Phases 1 and 2 comprised 4000 square metres of office and laboratory floor space for the existing operation plus additional car parking.

Phase 3 was for a 'gateway' building with amenities. It was intended to provide facilities for the current and future staff, with B1 offices and 214 more parking spaces. Phases 4 and 5 both sought outline permission for industrial or storage and distribution facilities plus more parking spaces. The design of these buildings would be under reserved matters.

The main issues for consideration were: the principle of development; landscape and visual impact; parking areas and impact on the transport network; residential amenity; heritage assets and archaeology; flood risk and drainage; ecology, trees and landscaping; vibration; air quality; contamination; cumulative impact; and socio-economic impacts.

**Principle of Development**

National policies supported employment opportunities providing the countryside was protected. Adjacent to this site were five other employment sites and it had been identified in the Local Plan for employment purposes B1, B2 and B8. It was considered that an element of B8 use on this site would not result in material harm given the proposals for expansion around it, the context of the

existing uses and it would complement the character of the existing employment cluster within which the site sits.

A Habitat Regulations Assessment screening was needed as there were three statutory designated sites nearby. The Environmental Statement (ES) concluded that there would be no direct impact on any of the sites. In the absence of mitigation indirect effects from light spillage had the potential to have an impact. Recommended mitigation would be through a Construction Environment Management Plan (CEMP) condition and a lighting strategy condition. Natural England accepted these conclusions and therefore an Appropriate Assessment under the Birds or Habitats Directives was not required. Overall the principle of development was considered acceptable.

#### Landscape and Visual Impact

Phases 1, 2 and 3 would be within the complex and would not be highly visible. The gateway building would be higher than the others, as it was designed to make a statement. However, its impact would be mitigated by the existing planting.

The buildings on Phases 4 and 5 would be higher than the existing and would be prominent, within the employment site and on approach to the site from the south east. The parameters plan showed large scale buildings with a maximum height of 13 metres, reduced by the applicant from 14 metres. This would be mitigated in the longer-term by appropriate landscaped design and planting. Historic England raised concerns about the impact on the nearby Roman Villa Scheduled Monument. The sheer size of the buildings meant that they would be visible, but weight had to be given to the fact that the site was allocated and the land to the south of the site was also allocated for employment use in the Local Plan and emerging Plan. In conclusion the development would result in less than substantial harm to the significance of the heritage asset and the public benefits of the employment use would outweigh this harm, as such it would comply with policy.

#### Parking Access and Impact on the Transport Network

The existing access to the site would be used but a ban on turning right out of the site would be introduced. Two new bus stops, a pedestrian crossing and a new footpath would also be constructed as part of the application and would be delivered during Phase 1. Prior to the occupation of the Phase 3 building, alterations would be made to the Snailwell roundabout.

To mitigate the additional traffic levels at the A14 junction a financial contribution would be paid. Suffolk County Council was satisfied that this contribution was commensurate with the impact caused by this development on that junction. All these would be secured by Section 106 (S106) agreement.

#### Residential Amenity

There were two residential properties which were site properties and three properties to the south of Snailwell roundabout. Taking into account the ES and acoustic report, it was considered that no demonstrable harm would occur to residential amenity. The Environmental Health Officer raised no objections, subject to conditions.

Heritage Assets and Archaeology

Any indirect effect on the Listed Building Biggen Stud Farm would be mitigated through additional planting. The site did not contribute positively to the setting of the farm and the impact on the Roman Villa Scheduled Ancient Monument had been discussed earlier. The development would result in less than substantial harm to both heritage assets and the public benefits would outweigh this harm and complied with policy. Cambridgeshire Archaeology did not object, subject to further investigations on the Roman Villa, which would be secured through a condition.

Flood Risk and Drainage

A drainage strategy had been prepared and the Environment Agency was satisfied with that, subject to ensuring the ground water was protected. Anglia Water had capacity for Phases 1 and 2 but conditions would be required for Phases 3, 4 and 5. The lead local Flood Authority was also satisfied with the surface water drainage proposals.

Ecology, Trees and Landscaping

The ecology had been investigated and the ES concluded, subject to the adoption of appropriate mitigation and avoidance measures, there would be no adverse impact on the designated sites nearby. The surveys recommended a number of measures to enhance biodiversity to include retention of vegetation, implementation of a CEMP, buffer zones to protect otters and trees with bat potential. These would be secured by condition. A substantial planting screen would be created around the site. The Trees Officer was satisfied with the proposed scheme.

Socio-Economic Impacts

The site was an allocation and 28 jobs during construction and around 80 jobs would be provided. The application supported economic growth and the four to five year programme would provide additional work. The ES concluded that socio-economic impacts would not be affected by this proposal.

Vibration, Air Quality and Contamination

A CEMP would deal with these issues. The Environmental Health Officer (EHO) was satisfied that the impact on air quality was likely to be negligible assuming a CEMP was prepared and adhered to.

Contamination findings were acceptable to the EHO.

Cumulative Impact

Two types of cumulative impact had been identified, as a result of the development. One was dealt with by the CEMP and the second considered the combined effects arising from the schemes. The ES concluded that there were very few identified cumulative effects.

In conclusion, the proposal was significant and would have an impact on the character and appearance of the area. Although it would not be entirely possible to screen the development, the additional significant landscaping proposed would soften views of it. With the mitigation proposed the development would not have an adverse impact on highway safety or the wider transport network. No significant harm would be caused to heritage assets.

There was no flood risk and ecological and contamination issues had been addressed. The proposals would provide for employment on an allocated site. The application largely complied with development plan policies and there were no other material planning considerations which would cause demonstrable harm in planning terms and the application was therefore recommended for approval, subject to the signing of a S106 legal agreement and the draft conditions set out in the report with authority delegated to the Planning Manager.

At the invitation of the Chairman, Mr Sid Hadjiannou spoke in support of the application and made the following comments:

- He endorsed the officer's views.
- Successful discussions had been held with Suffolk County Council (SCC) and Cambridgeshire County Council (CCC) over the impact on the A14 junction.

Councillor Bill Hunt reckoned that the A14/A142 junction was peculiar, as it was situated in Suffolk but affected Cambridgeshire. So would the applicants keep the Cambridgeshire and Peterborough Combined Authority in the picture, as it was a priority of theirs? It would be unfortunate if different authorities were undertaking similar studies. Mr Hadjiannou stated that significant liaison had taken place with SCC and the applicants had contributed a sum of money for a feasibility study. It would be proposed that the Combined Authority be kept informed.

Mr Barber informed the Committee that the situation was more complicated, as Highways England were looking at the whole of the A14, as they had responsibility. Monthly meetings were being held and this issue was top of the list. Duplication of efforts was not desired. SCC would be looking for the best value outcome of that work. Highways England were aware of this project, so this could be fed into its bidding project.

Councillor Mark Goldsack welcomed the idea of the bus stops and was pleased with their proposed locations. However, there was an issue over the lack of a pavement, which meant that pedestrians would have to cross the road without an adequate crossing available to reach Turners. Whilst improvements to the roundabout were being made, as part of the works, additional crossings should be included. It would be a failure if this was only looked at a singular application, as these were significant safety concerns. The Chairman thought it unfair to expect the applicant to contribute to these items, as any mitigation proposals had to relate directly to the application.

Councillor David Chaplin thought resources should be pooled if multiple studies were being undertaken and the results of this study should be fed into that. There was significant funding for the other study, therefore this study could become redundant, so the funding should be added in.

Mr Barber revealed that Highways England were doing a route strategy which was due to be fed back during the summer next year. By definition, this was a high level strategy and would not be so detailed. A more detailed study was envisioned for the junction, as it was a complex issue. There was also the Hatchfield Farm development near Newmarket, which would be considered next year, as this would impact the junction as well. There was scope for

parallel work streams, as there were a lot of unknowns. Because of this, the aim was to cover all bases. It was acknowledged that the junction needed improving.

Councillor Joshua Schumann accepted that the Combined Authority, SCC and CCC Highways were involved, so they should ensure that there was no duplication of work. He queried the numbers in the report relating to the number of new jobs that would be created, as two different figures were shown. It was confirmed that the number was 918.

Councillor Joshua Schumann confirmed that he had called this application in and was excited to see it and the number of jobs it would create. It was a fantastic opportunity for investment in our area and he was happy to endorse the officer's recommendation.

Councillor Derrick Beckett thought the report was good, as was the application. The site had a flood plain nearby and fens, and noted that the Drainage Board pumped water away but where did it go? This could potentially increase river run off. The Chairman noted that drainage would be conditioned.

The Planning Team Leader explained that the site currently relied on pumps to drain water away. This was generally unsustainable and there had been some issues. This had resulted in the drainage ditch being enlarged. The water was pumped into this ditch and thence to the river. Conditions have been requested to tackle that matter.

Councillor Bill Hunt contended that he would support the recommendation and emphasised that this was an excellent proposal with a small price to pay. This operation would help get work on the junction going but the four authorities needed to work together on it.

Councillor David Chaplin was delighted to see a representative of SCC at the meeting, as this would only help with the traffic situation due to its importance in Suffolk. It was a fantastic opportunity but the residents in the south of the district needed to see real benefits from it.

It was resolved unanimously:

That planning application reference 17/01838/ESF be APPROVED subject to the signing of the S106 Agreement and the draft conditions, set out in Appendix 1, with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission.

*The meeting adjourned at this point, 2:47pm, to allow officers to read a late submission just received from Anglian Water on the next agenda item.*

*The meeting reconvened at 2:52pm.*

**95. 18/00059/FUM – LAND REAR OF 55 TO 69 FORDHAM ROAD, SOHAM**

Barbara Greengrass, Planning Team Leader, presented a report (reference T146, previously circulated) which sought permission for the erection of 80

residential dwellings together with associated new public open space at a site off Fordham Road, Soham.

The Chairman stated that the late submission from Anglian Water did not change the officer's recommendations.

The Planning Team Leader advised the Committee that Anglian Water would be working with Hopkins Homes on the site. Members were reminded that Condition 2, relating to the time limit for commencement of development, had been reduced to two years from three with effect from 3<sup>rd</sup> December 2018. An additional condition relating to a noise assessment had been added as well. The question of tandem parking had arisen and, upon checking, the site allowed for 73% of properties with tandem parking. The site was included in the Local Plan for development and the proposal included for twenty four affordable houses. A by-way ran through the site, which should be retained, with the main access to the site from Fordham Road.

The main considerations were: principle of development; visual impact, layout and mix; residential amenity; highway safety and transport impact; flood risk and drainage; and trees and ecology.

#### Principle of Development

The site was within the settlement boundary on land allocated for housing. Access to adjacent land had also been allowed for. A small parcel of land to the east within the allocation had not been included within the site. However, access potential to this had been provided. The development made a valuable contribution to the 5-year housing shortfall. The principle of development was accepted.

#### Visual Impact

The site was contained with views from the A142. Post and rail fencing and a planting belt along this boundary would provide for a soft edge and enhance the Public Right Of Way along this boundary. The applicant aimed to retain as many original landscape features in the site as possible. The layout had been amended to respect views of the Mill from the A142. The scheme provided for an acceptable mix of dwellings in accordance with Policy HOU 1. The mix provided for mainly 2 and 3 bed units. Building heights had been reduced and ranged from 6 to 9 metres. Some double fronted dwellings were provided in key locations and two feature houses fronted the open space on entry to the site, allowing for an attractive entrance. The site would also incorporate a play area and acceptable amounts of Public Open Space and landscaping. Twenty four would be affordable dwellings and this was acceptable to the Strategic Housing Officer. Clipsall Lane would be retained as a green corridor. The layout also retained provision for access to the remainder of the allocation outside of the current application site.

Overall the new housing could be successfully integrated into the town's setting with limited adverse visual impacts and therefore complied with Policy.

#### Residential Amenity

A noise assessment had been submitted stating that there would be no noise issues from the A142. The applicant had amended the internal layout to mitigate potential noise problems. It was therefore accepted that there would

be no unacceptable impact on the residents. The new built form would not adversely impact the residential amenity of existing residents due to distances and orientation. Suitable separation was provided with the new pumping station.

#### Highway Safety

The County Highways Department had accepted the access to and layout of the site. The County Transport Planning Team were satisfied that, with mitigation, the proposals would not have an adverse impact on the wider road network. The applicant would contribute a sum of money to mitigate the impact on the A142 roundabout.

The applicant had been encouraged by Planning Officers to lessen the amount of tandem parking in their proposal. Fifty nine out of the eighty dwellings, which equated to 73%, would have tandem parking. However, the applicant had not wished to reduce the amount as this would affect the housing density but would lead to a car dominance. Overall the proposal complied with the policy, so there were no grounds to refuse the application.

#### Flood Risk

Following submission of additional information, the lead Local Flood Authority was satisfied with the surface water drainage scheme, which comprised soakaways and swales. There would be a new pumping station on site for foul water, which was acceptable to Anglian Water.

#### Trees and Ecology

The Tree Officer was satisfied with the planting scheme, subject to an appropriate condition to prevent significant harm. Enhancements would be secured by condition and a contribution towards the Soham Commons would be secured by the S106 Agreement.

A contribution would also be made from the S106 Agreement to the County Council for education purposes. There would be no archaeological investigations required on the site.

The application was recommended for approval.

At the invitation of the Chairman, Mr Chris Smith, Agent, addressed the Committee and made the following points:

- Extensive discussions had taken place to refine the proposals so that they were in keeping with the current situation.
- Eighty new homes were included, with twenty four of them affordable.
- Public open space and a substantial financial contribution through the s106 and CIL were also included in the application.
- All the technical consultees were satisfied with the proposed scheme, including Anglian Water and the Highways department.
- Car charging points would be provided, for electric cars.
- Tandem parking had been incorporated, as the provision of non-tandem parking would have resulted in the number of dwellings being reduced to forty to fifty, making the design less desirable.
- The Highways department did not think this would be a problem.
- The parking provision would be over and above what was needed.
- The development was acceptable and would be a positive addition.

Councillor Joshua Schumann asked whether Mr Smith thought, in his professional opinion, that parking on the development would be a problem, as there had been issues with some of their other developments. Mr Smith stated that the Highways department had not asked to amend the parking scheme.

Councillor Christine Ambrose Smith had a number of concerns about the parking arrangements, as for example the occupants of a four bedroom house could require four vehicles. In most cases cars were almost a necessity, so only two parking spaces was being optimistic. She was pleased to see that shared ownership homes and affordable housing was being offered.

Councillor Derrick Beckett suggested that the people planning these developments did not live on them. This meant they did not appreciate the impossibilities of negotiating around them. The developer should take notice of the concerns being expressed and plan for them. So the parking issue should be taken in to consideration, so why had this not been investigated?

Mr Smith contended that parking had been looked at to ensure it was sufficient. The applicant did not want to under-provide parking so had taken advice from the Highways department. It had looked at the issue of tandem parking and had considered the scheme acceptable. An alternative designed parking scheme would diminish the overall development and lessen the built form. This could make the land purchase unviable, so as much parking as required would be provided. The scheme had gone through significant changes to address that issue.

Councillor Joshua Schumann noted that the minimal level had been set and the applicant considered this acceptable. Members wanted no dominance on the site of tandem parking and officers had spoken to the applicant about that matter in efforts to have the numbers reduced but the applicants had refused to change. The number of tandem parking spaces had been reduced by how many? Mr Smith stated that the applicant had made sure there was enough parking, but couldn't give a specific number.

Councillor Mark Goldsack lived in an area of tandem parking and stated there were a lot of vehicles around. There were a lot of good ideas in this application but not with regards to parking. The Local Authority had stated in its Local Plan that it did not want to see tandem parking. On balance he was in favour of this development. However, although he wanted to accept a quality development this proposal was not, as it would not give future problems.

Councillor Derrick Beckett sought clarification, as he was not questioning the parking provision but thought tandem parking would result in one vehicle parked off road and one on road. The applicant should be asked to consider this as it would cause issues.

Mr Smith appreciated the issue but the applicant had to deliver an efficient scheme. If the parking was to be provided as suggested this would lead to a low density site. The proposal is already only twenty dwellings per hectare and could not provide a lower density development as this would not be economically viable. So the applicant intended to work to what was required in accordance with the relevant guidance.

Councillor Bill Hunt noted that the majority of the proposed houses were stated as being small. However, fifty six out of the eighty were three bed or more. Could it be confirmed that these were meant as family homes and the remaining twenty four were one or two bed houses. The housing had been described by Mr Smith as 'acceptable' but should not the applicant be looking to provide 'good' housing which was better than "acceptable". Mr Smith confirmed they were not 'executive' houses. The applicant had tried to add value to the housing scheme.

Councillor Paul Cox thought that the parking issue would cause problems during busy times, such as a Friday night when many people were out and about.

Councillor David Chaplin asked about the water management scheme as the ground water levels appeared to have changed without explanation. Mr Smith revealed that some soil testing had taken place but had proved unacceptable. Therefore the testing had been repeated and had given a more detailed result.

Councillor David Chaplin suspected that the second flood assessment had been completed after a particularly dry summer. This could mean that the ground water levels would be high in the first winter after the development, which could result in flooding.

In response to Councillor Mark Goldsack's query, it was disclosed that the public open space would be transferred to the District Council with a financial contribution.

*Councillor Mike Rouse joined the meeting at this point, 3:31pm.*

In reply to Councillor Derrick Beckett's question, the Planning Team Leader said that rubbish collections would be accessed via the roads with collection points at either end.

Councillor Bill Hunt considered it was well known that Soham was taking a lot of development and was still open to development. However, that development had to be good and give benefits to the local community. Approving an application for a development that was only 'acceptable' with only a 'required' parking scheme could not be supported. The three and four bedroom houses would encourage more cars resulting in vehicles being parked down Fordham Road causing chaos. This would lead to congestion so the application was totally inadequate.

Councillor David Chaplin thought there were two difficult issues with this application. There was a concern about the flood risk and the tandem parking issue was undesirable. This was a pity as applications were wanted for approval as housing was needed.

Councillor Derrick Beckett echoed the concerns about the water levels and the tandem parking. The applicant had been contemptuous of the advice given by the Council and had resisted attempts to reduce the numbers of tandem parking.

Councillor Joshua Schumann proposed that the matter be deferred so that the applicant could negotiate with Council officers, heed the Committee's comments and bring back something that would be acceptable to Members.

Councillor Mark Goldsack, in seconding the proposal to defer, wanted some consistency as if we said yes we would just be replicating what had happened on other developments. Parts of the application were very clever with good access, acknowledgement of the history of the site and a commendable amount of open space. But if the application were to be approved it would result in the dominance of cars.

It was resolved unanimously:

That planning application reference 18/00059/FUM be DEFERRED to allow the Applicant to work with Council Officers to address the points made by the Planning Committee in relation to drainage and parking.

**96. 18/00634/FUL – LAND NORTHWEST OF 15 POUND LANE, ISLEHAM**

Toni Hylton, Planning Officer, presented a report (reference T147, previously circulated) which sought permission for the construction of four detached houses with two new accesses. The Planning Officer noted that there should be an amendment to the recommendation as the word "and" should appear so that it read as St Margaret's Priory and Scheduled Ancient Monument.

The application was for four detached dwellings with a minimum of two parking spaces each but without garages. The main considerations were: the principle of development; impact on the heritage assets; impact on the street scene; impact on residential amenity; flood risk and ecology.

Principle of Development

The site was within the development envelope and land allocated in the Local Plan, so the principle was acceptable. However, it would cause harm to the setting of the listed buildings and the Scheduled Ancient Monument. There was a Grade I listed building, The Priory, and a Grade II listed building the Baptist Chapel plus a Scheduled Ancient Monument nearby. The site was within the Conservation Area, where there was a visible connection between the Priory and Chapel.

Residential Amenity

Because of the distances to number 15 Pound Lane and the houses opposite from the proposed dwellings, the site would not cause harm to residential amenity.

Flood Risk

The site was in Flood Zone 1 and the proposal would comply with relevant requirements.

Ecology

The application would not be detrimental to the ecology of the area, provided it were subject to appropriate conditions.

Due to its substantial harmful impact on the historic environment, the application was recommended for refusal.

At the invitation of the Chairman, Mr Peter Jonasson, agent, addressed the Committee and made the following comments:

- The site was in the development envelope so the principle of development was acceptable.
- Negotiations had taken place over multiple designs to address the issues raised and it was thought this had been accomplished.
- The design had improved and was not out of keeping with the area and complied with relevant policies.
- Ecology, highways and trees were all ok with the proposals;
- The site was in an area designated for development.
- The contention that it would cause harm due to the inter-visibility between the buildings had not been demonstrated and the two listed buildings would not be impacted, as these buildings were from different eras and should not be linked.
- The application had undergone many changes to provide an acceptable development, so it should be approved.
- A development had previously been agreed on a site near to the Priory.

Councillor Bill Hunt asked whether there would be a full width pavement at the front of the development and whether, rather than using white PVC, a different material and alternative colour would be acceptable as the site was in a Conservation Area. Mr Jonasson confirmed that the wall would be moved back to facilitate a pavement and an alternative to white PVC was agreeable.

Councillor Christine Ambrose Smith queried the number of parking spaces and wondered whether additional spaces could be accommodated. Mr Jonasson confirmed the dwellings would be three bedroom houses with parking.

Councillor Mark Goldsack noted the Chapel had white plastic windows so that was not an issue. He noted that there had been a number of applications for this site already. It was interesting to note that Historic England had made no objections to a previous application for six dwellings but had now objected to four. This was a ridiculous situation as there was a public right-of-way to the archaeological area, so there was no additional impact to be expected and the Public Right of Way would be improved as part of this development. Councillor Goldsack commented that when Councillors had stood on site, during the site visit earlier that day, they could not see over the wall towards The Priory. Therefore he would go against the recommendation and the only objection.

Councillor Bill Hunt supported going against the recommendation to refuse, as it would not be overdevelopment and would cause less than substantial harm to the character of the area, providing the windows were changed to a different material. The Planning Manager at this stage clarified that if Members felt that there was less than substantial harm to the setting of the heritage assets, St Margaret's Priory and Scheduled Ancient Monument, then the next test for Members was would this harm be outweighed by public benefit. Councillor Bill Hunt outlined that this would be the addition of a footway for the public to use in front of the site and would improve the safety of this section of the road.

Councillor Mike Rouse reminded the Committee that this was an infill development within the development envelope and asked what more the applicant could do. The applications was less intrusive than previous ones and existing housing already affected the views of The Priory.

Councillor Derrick Beckett had been undecided whether to support refusal or not but considered the objections made to be nonsensical. Any development would obstruct some views but he agreed that the two heritage buildings were from different eras so there was no connection between the two. There would be public benefit in moving the wall back to improve visibility and safety along the road. The footpath on Pound Lane would make it safer. The application would clean up the site, as it was currently scrubland. The four x 3 bedroom houses would be a benefit to the village.

Councillor Paul Cox endorsed those comments and noted that planning permission had already been granted to a site north of the proposed development, so that would also be served by the footpath. There would be no impact to either the Priory or the Chapel.

The Chairman pointed out that the statutory body had objected to the proposal and its recommendation should be acknowledged. Historic England had the option to call in a decision to the Secretary of State. The Parish Council also thought the views would be impeded.

Councillor Mark Goldsack then proposed that the application would lead to less than substantial harm to the heritage assets and when weighed against the public benefits the proposal should be approved for the following reasons:

- It would provide good quality housing;
- It would provide good security to the rear of the site where archaeology was in situ;
- The pathway would be of community benefit;
- The footpath would provide a more secure and better access for pedestrians;
- The main through road of Pound Lane would become safer for traffic by moving the wall back;

Councillor Bill Hunt seconded the proposal and added:

- Delegated authority should be given to the Planning Manager to agree the alternative material use and colour for the windows.

When put to the vote it was declared carried.

It was resolved:

That planning application reference 18/00634/FUL be APPROVED for the reasons set out below, with agreement of suitable conditions delegated to the Planning Manager.

Reasons:

The proposal will lead to less than substantial harm, when weighed against the public benefits, the proposal should be supported. The public benefits include:

It would provide good quality housing.

It would provide good security to the rear of the site where archaeology is in situ.

The pathway would give a community benefit.

The footpath would provide a more secure and better access for pedestrians.

*The meeting adjourned at 4:10pm.*

*The meeting reconvened at 4:19pm.*

**97. 18/00833/FUL – SITE BETWEEN 117 & 119 DUCHESS DRIVE, NEWMARKET, CB8 9HB**

Catherine Looper, Planning Officer, presented a report (reference T148, previously circulated) which sought permission for the erection of a single detached family home in Duchess Drive, Newmarket.

The Committee was advised that the application was for a single detached dwelling, set back from the road with a driveway and was a re-submission of a previously refused application. The main considerations were: the principle of development, highway safety, trees, visual amenity, residential amenity and other matters.

Principle of Development

Although the application site was outside the development envelope, the Council had a lack of a five-year supply of housing and, therefore the presumption was in favour of sustainable development, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Highways Safety

There would be sufficient parking on site so there would be no objections, subject to appropriate conditions and highways had raised no objections in relation to the proposed access.

Trees

The site was designated as a Tree Preservation Order (TPO) Woodland in 2006, but was significantly cleared in January 2017. The site provided a significant landscape feature which defined this edge of settlement location. The removal of the TPO woodland had significantly altered the character of the area and had a significant impact on the street scene. Notice had been served on the landowner under Section 207 of the Town and Country Planning Act 1990, to replant 120 trees of specified species and density, with a glade located within the woodland, as this was a character feature in the TPO woodland. This had not been appealed against nor challenged, though this work had not been done at present. The Council's Trees Officer therefore objected to this application and it would be contrary to the relevant Council policy. What had been shown on the site plans was very formal and was not a replacement woodland, with a vastly reduced number of trees being shown.

Visual Amenity

The application would prevent the replanting of the TPO woodland and was considered to have a significantly detrimental harm to the character and appearance of the area. The site acted as a defining boundary, separating the residential built form from the countryside. There was built form within the

adjacent woodland, however this was a community facility located within the woodland. The proposal would cause significant and demonstrable harm to the character and appearance of the area and would create an unacceptable urbanisation of the landscape, which would be exacerbated by the 8.5 metre ridge height.

#### Residential Amenity

The development would not have a significant impact on residential amenity. Though there were concerns about potential future noise impact for future occupiers of the site from activities taking place at The Jarman Centre. This was not considered to be significant enough to warrant refusal.

#### Other Matters

The applicant had provided no supporting information regarding ecology and in allowing a dwelling to be built. It would prevent the replanting of the TPO woodland, which would be at detriment to biodiversity. Surface water issues could be addressed via suitable conditions.

The proposal would provide a single dwelling in a sustainable location and did not cause significantly harmful impacts to residential amenity. However, the benefits of the application were outweighed by the significant harm to the rural end of settlement character and appearance through the introduction of a large and urbanising dwelling. Insufficient information was submitted to demonstrate that the proposal was not harmful to biodiversity, and the proposal would prevent the replanting of woodland trees at the site. Therefore the application was recommended for refusal.

At the invitation of the Chairman, Ms Amy Richardson, acting on behalf of Godolphin and The Trustees of The Jarman Centre, addressed the Committee and made the following remarks:

- The Jarman Centre adjacent to the site was used by youth groups including Girl Guides and Scouts with some staying at the Centre.
- The site was used at weekends and in the evenings.
- The nearby woodlands were used by these groups to their benefit.
- The woodlands also acted as a buffer between nearby residences and the Centre.
- If the application were to be approved noise levels would worsen, would have a negative impact and would threaten the viability of the Centre.
- The site location was not sustainable, as it was two to three kilometres away from Newmarket town centre.
- The site had a Tree Preservation Order for a reason, which helped the site act as a buffer between the urban landscape and the countryside.
- It was a statutory requirement that the trees are replanted and it was imperative to get the trees replanted.
- One of the tree's roots on her clients land would have to be pruned to accommodate the proposed dwelling.
- The proposed dwelling would have a significant and demonstrable impact which would not outweigh any benefits.
- The benefit of just one dwelling would conflict with the existing facility so the application should be rejected.

In response to Councillor Stuart Smith's question, it was revealed that the Jarman Centre hosted activities outside of school hours well into the evening and at weekends and there was no restriction on its use.

Councillor Mike Rouse was curious as to how the site came about and why the Jarman Centre had not considered purchasing the application site when it was sold off, so it could control its use. The Committee was informed that the Jarman Centre had attempted to buy the site but had been outbid.

At the invitation of the Chairman, Mr Philip Kratz, acting on behalf of the applicant addressed the Committee and made the following remarks:

- He was familiar with the Jarman Centre and there had been no deluge of complaints about noise.
- He was also familiar with the site, which had been part of the Jarman Centre and sold off before he left the District Council in 1995, possibly for development.
- When the applicant bought the site he was ignorant of the Tree Preservation Order and so the trees were cut down.
- There were plans to re-plant the trees next year, as the planting season had only just started and his client had until the 1<sup>st</sup> June 2019.
- The detailed planting scheme complied with the Order and would leave a house shaped gap in the middle of the site.
- This should not exclude the application from being approved.
- The proposed house was not particularly big and was similar to other dwellings in Duchess Drive.
- Three parking spaces, not tandem parking, would be provided.
- A previous application had been refused on a Highways objections but that had since been withdrawn.
- A walk over for biodiversity had been done and showed nothing at the site.
- There would be no impact on the Jarman Centre.

Councillor Lavinia Edwards questioned the number of trees that had to be replaced. The Planning Manager confirmed that 120 trees were included in the Replacement Notice but she did not know how many had been removed. This number was to give the same canopy coverage as previously shown in photographs.

Councillor Christine Ambrose Smith noted that anyone building a house and then complaining of noise from a nearby facility should have considered this before construction.

Councillor Stuart Smith wanted to support the Planning Officer but the main concern was the Tree Preservation Order, so he could not support the application for that reason alone.

Councillor Bill Hunt was in agreement with the officers entirely. He was amazed that the application was before the Committee, as the applicant had not accepted the officers' advice. This was an attempt to obtain the benefit of planning permission by cutting down protected trees. Councillor Bill Hunt agreed with all three reasons for refusal and suggested a fourth for refusal, this being the damage to the amenity of the Jarman Centre.

It was duly proposed to refuse the application and when put to the vote was declared agreed.

It was resolved:

That planning application reference 18/00833/FUL be REFUSED for the reasons given in the Officer's report, with an additional reason in relation to the harm to the operation and impact on the Jarman Centre.

**98. 18/01071/VAR – ROSE BARN, ELY ROAD, SUTTON**

Richard Fitzjohn, Senior Planning Officer, presented a report (reference T149, previously circulated) which sought a variation to condition 4 (use class) of planning permission 08/00746/FUL at Rose Barn, Ely Road, Sutton.

The Committee was advised that the application was for a variation of condition 4 (use class) to allow for indoor use of Rose Barn as an events venue (D2 use) for up to twelve days per year. The main considerations were: the principle of development, highway safety and residential amenity and the impact on adjacent business.

Principle of Development

The site had been granted permission in 2008 for offices relating to the turfing and landscaping business, with a condition restricting its use to B1(a). The proposal does not fully comply with policy EMP2 of the Local Plan, however when considering the recent planning application on the site for use as an events venue, the Local Planning Authority (LPA) and Planning Inspectorate did not consider the principle of development to be unacceptable.

Highway Safety and Parking Provision

The previous application was refused but when it went to appeal the highways and parking issues were addressed. There would be no significant highways impact according to the Highways Authority and the Planning Inspector's views, subject to the proposed access improvements being implemented. Adequate parking provision would be provided, as determined by the Planning Inspectorate in the recent appeal.

Residential Amenity and the Adjacent Business

The Senior Planning Officer displayed a slide showing the location of Rose Barn in relation to the neighbouring dwellings and adjacent business.

The Senior Planning Officer stated that the proposal was for indoor events only, limited to up to 12 events per year (including up to 6 evening events), with events to take place Friday-Sunday only, limited to 55 guests per event and to exclude wedding reception events. Subject to the recommended conditions set out in the officer's Committee report, it was considered that there would be no significant harm created to the residential amenity of the neighbouring properties or impact on the adjacent business.

Summary and recommendation

The proposed events use did not constitute an extension to the existing business. However, previous LPA and Planning Inspectorate decisions did not consider this to be a reason for refusal.

The Senior Planning Officer considered that there would be no significant harm in respect of highway safety, parking provision or residential amenity of neighbouring properties and impact on the adjacent business, subject to conditions which could adequately control the use and separate legislation. Overall the application would be subject to suitable conditions and the inclusion of a noise management plan. This would only permit the proposed events to be held indoors and would not conflict with the existing business. There would likely be some employment benefits and there appeared to be demand for an event venue.

Although the application did not fully accord with policy EMP2 of the adopted Local Plan and policy LP8 of the Submitted Local Plan, it accorded with other Local Plan policies and on balance it was recommended for approval.

At the invitation of the Chairman, Mr Bridges, objector, addressed the Committee and made the following remarks:

- Reading the recommendation it appeared that further events were necessary for the business, but the implication was that the business's ultimate purpose was to increase its business;
- This application was extra to their core business;
- The consultation had not prompted any response from the two caravans nearby, as they had been unoccupied;
- He echoed the concerns of Witcham Parish Council which had objected to the application;
- The noise of the events would have an impact on the animals looked after by his business next door, which had a five star rating from the Council;
- The application did not satisfy the support for the local community;
- It did not include for permanent employment;
- The Planning History was incomplete, as there had been an Enforcement Notice issued in 2014;
- The consultation responses had been compromised, as the proposal had been undocumented;
- It varied the change of use and gave options for expansion;
- Sufficient measures had not been put in place for residents;
- The only mitigation related to a limitation to twelve events;
- It would fail to give any social benefits.

Councillor Mark Goldsack had not been on the site and was not part of the Committee which previously visited the site, so asked whether Mr Bridges' kennel business was next to the application site. Mr Bridges stated his business had been there for forty years.

Councillor Christine Ambrose Smith sought clarification about the two caravans mentioned and Mr Bridges disclosed that there had been nobody in those caravans to respond to the consultation, as they had been unoccupied for six years.

At the invitation of the Chairman, Mr Philip Kratz, acting on behalf of the applicant addressed the Committee and made the following remarks:

- The original application had been considered a year ago but had been rejected on highways grounds;

- They had since withdrawn their objections following the appeal;
- An Enforcement Notice had been issued but subsequently withdrawn and the proposal was not retrospective;
- Previously a large marque had been proposed, but, as that had caused some consternation from the Planning Inspector, this was not now included;
- Business support offsite continued but some opportunities occurred on site;
- The applicants did not want to use the site as a full-blown events venue, but only for a maximum of twelve, with six of those held in the evening;
- These events were likely not to be parties, except possible birthday parties;
- All the potential impacts of using a marque had been addressed, as the mess hall would be used instead;
- Council officers had been diligent throughout to address all the issues raised previously.

At the invitation of the Chairman, Councillor Mike Bradley addressed the Committee, as a Ward Councillor, and made the following comments:

- This application was for a change to the business;
- Local residents and the Parish Council were against the application;
- Animals in the kennels next door to the site did not like noise, so why should this application be allowed? Amberlea Kennels were there first.
- In the summer, people at the events would go outside, creating a disturbance;
- Paragraph 7.3.7 of the officer's report acknowledged that people could not be controlled;
- The application should be refused as it would not be suitable to be next to kennels.

Councillor Bill Hunt had been aware that the previous application had gone to appeal and the Inspector had advised that the highways and parking issues had been overcome, so they were not now a problem except for the impact on the neighbouring occupier. Councillor Mike Bradley said that the problems had been mitigated but the noise issue would only be reduced.

Councillor Stuart Smith queried whether there were noise problems from the kennels, as there had to be a balance between the two sites.

Councillor Mike Rouse thought it difficult to know what anyone at Rose Barns could do, as people could open windows while an event was on and disturb the dogs. But the issues were about being good neighbours, as both could exist side-by-side. Rose Barn had made every effort to scale back to reduce any potential nuisance. It was noted that Sutton Parish Council had offered no objections. There was no reason to impede the business so the recommendation for approval should be supported.

In response to Councillor Derrick Beckett's question, it was confirmed that the site only held offices, a bar and an open space but nothing residential. Councillor Beckett then considered there to be no residential problem, as the site was divorced from society. The events would be low level but, if the application was approved, the number of events in the future could be increased

by a variation of the permission granted. It was proposed to hold the events within a closed barn, but this had two sets of French doors at the back of the venue which could be easily opened letting noise out. This could be a disadvantage to Amberlea Kennels, who had been located there first, and would be of detriment to them.

Councillor Joshua Schumann was a fan of compromise and thought the application offered the best compromise solution. It was only for twelve events during a year, with only six of them in the evening. It would be up to the Council to decide should the business wish to increase the number of events in the future. This proposal would allow the business to thrive and would not interfere with the cats and dogs next door. It was a good compromise and would work well.

The application was proposed for approval and, when put to the vote, was declared carried.

It was resolved:

That planning application reference 18/01071/VAR be APPROVED subject to the conditions as given in the Officer's report.

*Councillor David Chaplin left the meeting at this point, 5:20pm.*

**99. 18/01134/FUL – PLOT 1, LAND OPPOSITE BARLEY COTTAGE, BARCHAM ROAD, SOHAM**

Richard Fitzjohn, Senior Planning Officer, presented a report (reference T150, previously circulated) which sought permission for the construction of a two storey detached dwelling and garage on a site in Barcham Road, Soham.

The Committee was advised that the application was for a two-storey dwelling and garage. There were residential dwellings to the north, south and east of the site.

The proposed dwelling was a similar design to one already approved by a Reserved Matters planning permission, but was larger size. The principle of development for a dwelling on the site had been approved previously. Reserved Matters permission had already been granted on the site and adjacent land giving detailed consent for two dwellings. The proposed dwelling would be prominently visible from the A142 and was considered as harmful to the character and appearance of the area due to its height and scale. In addition, the application included the change of use of additional land to residential curtilage which would allow domestic paraphernalia to be sited on it and create additional harm to the character and appearance of the area, with no additional benefits.

There would be no significant detrimental impacts on residential amenity of neighbouring occupiers or future occupiers of the proposed dwelling.

As detailed consent had already been approved on the site, the new application did not give any additional benefits but would help erode the character and

appearance of the countryside. There would also be no net gain to the district's housing stock. The proposal would result in harm which would be significant and demonstrably outweigh any limited benefits of the proposal, therefore the application was recommended for refusal.

At the invitation of the Chairman, Mr Jamie Palmer, agent for the applicant addressed the Committee and made the following comments:

- The principle of development was already acceptable;
- Permission had previously been granted for a dwelling and a garage;
- The scale and massing of the proposed building would be dominant but properties opposite the site also had big house footprints and some were bigger than the building proposed;
- The ridge height of the building would be slightly higher;
- The building would reflect the sizes of the other nearby buildings;
- The curtilage would not detract from the rural character of the area;
- There had been no objections from Environmental Health;
- Of all the consultees, only Soham Town Council had objected;
- The applicant intended to live in the dwelling, so the design was to meet the needs of the client;
- The design and setting would not be dominant, as it would be less imposing than existing buildings nearby.
- His client would accept removal of permitted development rights.

Councillor Mark Goldsack asked how much of an increase was there in this proposal compared to the one already granted? Did it give a good reflection of the size of the existing dwellings? Mr Palmer estimated that it would be between 10% and 15% larger overall. The Senior Planning Officer provided dimensions of the approved dwelling and garage and the proposed dwelling and garage.

Councillor Bill Hunt noted that use of the site for development had already been established but this was a bigger proposal. Would the applicant be happy to forgo development rights? Mr Palmer conceded that this could be conditioned. The Planning Manager reminded the Committee that this could not stop further development, but would mean that the applicant would have to submit an application to the Council for works, which could normally be carried out under permitted development.

Councillor Mike Rouse did not think the height, size or massing was a problem, as the road already had a variety of fine houses. The site backed onto agricultural land, but this had never been used and was more like scrubland. Visual dominance was also not a problem, as this would be rather a nice house and would be better to see than some standard houses. Therefore this application should be approved.

Councillor Mark Goldsack considered the objection to the visual impact via the A142 as preposterous. There were some magnificent houses on Barcham Road and they were all large houses. It was a good site and the applicant wanted a larger home. The location was sustainable, as the new school was only eight hundred yards away. So the recommendation for refusal should be rejected.

Councillor Christine Ambrose Smith saw no point in building a smaller house if a bigger one would meet the needs of the applicant and it was on a large plot. Councillor Bill Hunt also supported the building of a larger house if it were possible.

It was duly proposed and seconded that the application be approved and:

It was resolved unanimously:

That planning application reference 18/01134/FUL be APPROVED as it would not have a detrimental effect to the visual amenity and there would be no loss of agricultural land.

**100. 18/01216/FUL – LAND SOUTH OF 1 TO 7 OLD SCHOOL LANE, UPWARE**

Toni Hylton, Planning Officer, presented a report (reference T151, previously circulated) which sought permission for the erection of a detached dwelling with garage and associated parking on a site off Old School Lane, Upware.

An objection had been received late from Wicken Parish Council and this had been circulated to Members, as had additional supporting planning material supplied by the applicant.

Permission had been granted in 2016 in outline for 4 dwellings, but this application combined 2 plots and was for a slightly larger dwelling which included a comprehensive planting scheme. The main considerations were: the principle of development; loss of public open space; residential amenity; visual impact; highways, ecology; flood risk and other considerations.

Principle of Development

The Council had a lack of a 5-year housing supply. An application for four plots had been approved previously but this application was for one dwelling, so the principle of development on this site had previously been agreed. The previous application secured public open space to the north and there was concern that this application could lead to the loss of public open space.

Residential Amenity

The application was not expected to do any harm to the residential amenity, but the proposed dwelling to the north and south could not be gauged.

Visual Amenity

The two and a half storey dwelling and mixed design would be out of character with the area.

Highways

No objections had been received but appropriate conditions would need to be applied.

Ecology

The Wildlife Trust had recommended an Ecological report be implemented.

Flood Risk

Some residents had raised concerns over drainage but this could be conditioned.

Due to no pre-application details, Wicken Parish Council's concerns over the scale and size of the development and the potential loss of public open space, it was recommended that the application be refused.

At the invitation of the Chairman, Mr Matt Cannon, applicant, addressed the Committee and made the following remarks:

- It was confirmed that the vendor and purchaser would agree to a Deed of Variation to the s106 Agreement to ensure the public open space was kept;
- The style of the property was not inconsistent with the style in Upware as one of the nearest existing properties included many features proposed;
- They had been designed for a different style and would use special materials;
- The property would be larger than the ones already approved;
- The property would be situated further back from the road with a reduced number of accesses;
- The ridge heights of neighbouring properties had been surveyed and the proposed ridge heights of the new dwellings would be shorter than some;
- This proposal should therefore be approved.

Councillor Mike Rouse thought this was a quite seriously large domestic house and asked if it was designed for a family. Mr Cannon confirmed it was and stated that the chance to purchase the site had come up and he wanted to build a 'country' house.

Councillor Mark Goldsack asked about the location and was informed that the rear elevation opened onto the countryside with the River Cam beyond.

Councillor Joshua Schumann commented that it was a big house and, although it might be acceptable within that area, a balanced view was needed to ensure it was in keeping with relevant policies. The design and materials almost gave a reason to approve the application.

Councillor Derrick Beckett found the application difficult to judge, as a variety of dwelling styles made villages unique. This, however, was totally different and was like a country mansion but was for a single family.

Councillor Mike Rouse thought the design aspirational and did not want the Committee to be afraid of building big houses, as many fine houses were being lost. This would counter the growing uniformity of houses being built. A consistent approach was needed when making such decisions and the plot, fen and village could take this development.

Councillor Christine Ambrose Smith disliked the design immeasurably and thought it overwhelming.

Councillor Bill Hunt reminded the Committee that the applicant had permission for two dwellings on the site but it would be fair to consider this application on its own merit. Although the house would be a whopper he was inclined to approve the application.

Councillor Paul Cox was also in favour of the application and appreciated the style and design of it.

The Planning Manager advised that a legal agreement to secure the public open space should be in place before planning permission was approved. The legality of this, via a Deed of Variation, would be looked at.

The application was duly proposed, and seconded, for approval subject to a legal agreement relating to the public open space.

It was resolved unanimously:

That planning application reference 18/01216/FUL be APPROVED as there was no demonstrable harm to the setting and character of the area, subject to a legal agreement relating to the public open space to the north of the site.

*The meeting adjourned at this point, 6:04pm.*

*The meeting reconvened at 6:10pm.*

**101. 18/01268/OUT – LAND ADJACENT 18 GREAT FEN ROAD, SOHAM**

Catherine Looper, Planning Officer, presented a report (reference T152, previously circulated) which sought outline planning permission for a two storey residential dwelling, garaging, parking, access and associated site works on a site off Great Fen Road, Soham.

The Planning Officer pointed out a slight error in paragraph 7.2.3 of the report, where it should state that the proposal was not contrary to policy. Since the report had been written further information had been received, from the Environment Agency, who had no objections to the application, subject to the sequential test being met and the Local Planning Authority being satisfied.

The application sought outline permission for a dwelling. The matters to be considered at this stage were access and scale. The main considerations were: the principle of development; flood risk and drainage; visual amenity; residential amenity; highway safety and other matters.

Principle of Development

The Council lacked a 5-year supply of housing and therefore applications were being assessed on the basis of presumption in favour of sustainable development, unless there were any adverse impacts in doing so. However, in this application the tilted balance was not engaged as the NPPF at footnote 6 of paragraph 11 d(i) indicated that where development plan policies were out of date permission should be granted, unless the application of policies in the NPPF that protect areas (including areas at risk of flooding or coastal change) or assets of particular importance provide a clear reason for refusing development. In any event, the application site was considered unsustainable due to its position approximately two miles to the north of Soham.

Flood Risk

The site was located in Flood Zone 3, so there was a high probability of flooding. The applicant had not submitted a sequential test, as they were required to, so the Local Planning Authority had carried out the sequential test, which it did not consider the proposal to pass, as there were other sites located within Flood Zone 1 within the parish of Soham.

#### Visual Amenity

The full details of visual appearance were not included within this outline application. The dwelling would be positioned on a plot which could accommodate screening to reduce the visual impact. Scale was considered at this stage and the applicant had put forward a proposal of acceptable scale.

#### Residential Amenity

The application was not considered to have a detrimental impact on residential amenity, due to its distance from neighbouring dwellings. The full impact would be considered a reserved matters stage, when all details were put forward.

#### Highway Safety

There were no concerns from the Highways Authority, provided suitable conditions were agreed.

#### Other Matters

If approved a condition should be included to deal with foul water drainage, contamination and biodiversity.

The application was recommended for refusal due to its unsustainable location and flood risk.

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

- Great Fen Road and Hasse Road were known as Soham Fen and were a hamlet of Soham.
- Similar applications had been recommended for refusal for the same reasons as before and were constantly overturned by Members.
- The National Policy Framework stated that there was a social role for planning by supplying housing for future generations.
- Not everyone wanted to live in an urban location.
- The location was accessible and served by the school bus, postman and deliveries.
- The scale of the proposal had been adjusted following officers' advice.
- The flood risk was minimal and flood resistant measures would be put in place.
- The report gave a misleading description of the site, as it was actually garden land and had been in the applicant's ownership for 49 years.
- If successful, the dwelling would be lived in by the applicant's daughter;
- As the Council could not demonstrate a 5-year supply the presumption in favour of sustainable development should be to approve this application.

In response to Councillor Bill Hunt's suggestion, Mr Fleet stated that the intention was to raise the floor level, determined by the highest flood level as outlined in the Flood Risk Assessment, to mitigate any flood risk.

Councillor Mark Goldsack thought that although the location had been described as unsustainable, as there were no shops or schools nearby, people had lived there for years as part of a community. To be fair to the applicants, their application should be given due consideration.

*Councillor Mark Goldsack left the meeting at this point, 6:24pm.*

Councillor Derrick Beckett asked whether this application would fit in with the emerging plan and the infill policy. The Planning Manager advised it would not, due to its distance from the settlement boundary.

Councillor Bill Hunt agreed with the statement that the dwelling would be built to a flood sustainable design, so in the case of flooding it should be okay and asked if the Case Officer agreed. The Planning Manager contended that it was difficult to answer that as, even if it passed the sequential test, the officers' opinion was that it would be a problem.

Councillor Joshua Schumann thought that even after mitigation it would still fail the sequential test. The Agent had suggested that it would be built to flood requirements.

Councillor Lavinia Edwards asked if there were any records of flooding in that area. The Committee was informed that there had not been any since 1970, when the applicants moved there.

Councillor Mike Rouse thought that, for consistency's sake, the application be approved. Councillor Derrick Beckett contended that Soham Fen was becoming more urbanised and seconded the proposal.

Councillor Paul Cox reminded the Committee that a fair portion of the district could be flooded but the Internal Drainage Boards kept the water levels down so the district was safe.

When put to the vote,

It was resolved:

That planning application reference 18/01268/OUT be APPROVED as it was considered a sustainable location and the risk of flooding was deemed low.

*Councillor Mark Goldsack returned to the meeting at this point, 6:30pm.*

**102. 18/01284/OUT – LAND ADJACENT SECOND BREED FARM, STRETHAM ROAD, WICKEN**

Richard Fitzjohn, Senior Planning Officer, presented a report (reference T153, previously circulated) which sought outline planning permission for a four bed barn style dwelling, garaging, parking, access and associated site works on a site off Stretham Road, Wicken. The scale of the proposed dwelling would be 14m wide, 9m deep and 7.3m high. The scale of the proposed garage would be 8.1m wide, 6.5m deep and 5.5m high.

The Senior Planning Officer highlighted a slight correction needed in the report, under paragraph 7.2.4 the speed limit change should read from '40mph to 30mph'. The site itself had residential dwellings to the south west with agricultural land to the north and west. The main considerations were: the principle of development; visual amenity; residential amenity and highway safety.

#### Principle of Development

The application site was located outside of the development framework. However, the site was close to other dwellings, services and the development framework boundary. The proposal included a new footway link between the site and existing footway, providing safe pedestrian access into the village. The proposed footway link overcame one of the refusal reasons of the previous application on the site relating to the location being unsustainable for a dwelling.

#### Visual Amenity

The site was very open and located on the edge of the village. It had a very rural character and appearance. The location and scale of the proposed development would cause significant and demonstrable harm to the character, appearance and views of the rural area, including the sensitive settlement edge.

The Planning Committee had refused a previous application for a dwelling and carport on this site in May 2017 due to the unsustainability of the location and the detrimental visual amenity impact by virtue of its location. The current application addressed the first of these issues (sustainability of the location) but not the second (visual amenity impacts by virtue of its location).

#### Residential Amenity

A dwelling and garage could be accommodated on the site without significant detrimental impacts on residential amenity.

#### Highway Safety

No objections had been received from the Highways Authority in respect of highway safety and ample parking and turning space could be provided.

#### Summary and Recommendation

In summary, the proposed development would result in a harmful encroachment into the countryside which would erode the open and rural character and appearance, causing significant and demonstrable harm to the character, appearance and views of the rural area, including the sensitive settlement edge. The benefit of one dwelling was outweighed by the significant and demonstrable harm to the character and appearance of the area. Therefore, the application was recommended for refusal.

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

- If Members recalled, concern had been expressed about no footpath and the site location.
- These issues had been addressed in this application.
- The external footpath would provide safe access for pedestrians.
- To the south of the site was a substantial dwelling.
- To the east were several dwellings.
- To the west was Stretham Road.

- Only when the site was viewed from the front could the countryside be seen.
- The proposal was for a barn style dwelling which would soften the visual impact.
- It had been designed for the edge of village setting.
- This would give the opportunity to improve the visual entrance to the village.
- The Parish Council could not decide on its view of the application.
- It was presumed to be a sustainable development with no demonstrable impact therefore the application should be approved.

Councillor Bill Hunt asked where the 30mph limit was, in relation to the site. Mr Fleet confirmed that the 30mph sign was 100 metres towards Stretham. The site was well within than zone. Councillor Bill Hunt had been involved with other applications in villages where the dwellings gave a sense of a 30mph zone. Putting an additional building in the location proposed would make it feel like a 30mph zone and people driving through would slow down making it a safer environment. Therefore the application should be approved. The Planning Manager pointed out that this would go against a Members' previous decision.

Councillor Mark Goldsack questioned whether there was permission to build the long footpath proposed. Mr Fleet stated that it would be constructed via an agreement with the Highways Authority as it was within their ownership.

Councillor Stuart Smith thought the application was for a development in the countryside and approving the application would lead to more development in the countryside and the character of this area to change. It was very difficult to decide, but Members should be consistent, particularly due to the lack of 5-year supply.

Councillor Mark Goldsack acknowledged that point but contended that the site was not beyond the 30mph zone and there were family homes on the other side of the road and there would be a new footpath to it. He disagreed that it would cause visual harm.

Councillor Derrick Beckett suggested that the Committee had to be consistent and go with its previous decision. This development was part of an 'urban creep' into the countryside and houses on the other side of the road should mean another dwelling should be permitted.

Councillor Christine Ambrose Smith would go against the officer's recommendation as the development would be sustainable and be part of the village.

It was duly proposed and seconded that the application be refused and when put to the vote,

It was resolved:

That planning application reference 18/01284/OUT be REFUSED for the reason given in the Officer's report.

**103. 18/01291/OUT – SITE SOUTH WEST OF OLD NESS FARM, NESS ROAD, BURWELL**

Catherine Looper, Planning Officer, presented a report (reference T154, previously circulated) which sought outline planning permission for a single storey dwelling, garaging, parking, access and associated site works on a site off Ness Road, Burwell. The issues to be considered at this stage were access and scale.

The main considerations were: the principle of development, visual amenity, residential amenity, highways safety and other matters.

Principle of Development

Although the Council lacked a 5-year supply of housing this application was considered unsustainable as it was 1.3 miles to the north of Burwell. Public transport links were poor and future occupiers would rely on the use of a vehicle in order to access basic services. The public highway between the site and Burwell did not benefit from public footpaths or street lighting.

Visual Amenity

This would have to be assessed under reserved matters, as details of the design at this stage were not being assessed. However, the plot was already well screened and could accommodate additional planting.

Residential Amenity

Due to the distance from other dwellings there would be no impact. The full impact would also be assessed under reserved matters, once all details were received.

Highways

The local Highways Authority had raised no objections to the proposal and the indicative layout suggested that there would be sufficient room for manoeuvring and parking on site.

Other Matters

Foul and surface water drainage could be secured by condition, as well as contamination and biodiversity enhancements.

On balance it was recommended that the application be refused, due to its position in an unsustainable location.

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

- The site was within a small hamlet of five dwellings.
- It had been retained for kennels with some land adjacent when the applicants sold the rest of the kennel business adjacent to the site.
- It was used for gundog training and the applicant would reside in the new dwelling to be closer to this business.
- There was a dwelling adjacent to the site already.
- The application supported the social amenity.
- It would be sustainable, as people would be living and working from the same site.

- The Parish Council had offered no objections and it was supported by the local District Councillor.

In response to Councillor Derrick Beckett's question on residential amenity, Mr Fleet advised that the kennel business was now in separate ownership, but some land and kennels associated with the gun dog training business would be retained on site.

Councillor Joshua Schumann thought it would be hard to prove that the application was tied to the existing business.

Councillor Mark Goldsack suggested this was 'reverse' sustainability, as it related to a skilled and wanted business making it totally sustainable, as there would be no need for the applicants to travel to work, as they were currently 6 miles away.

Councillor Mike Rouse reasoned that it would harm nobody, was linked to the business and gave no problems. Therefore the application should be approved. These sentiments were echoed by Councillor Lavinia Edwards, who stated that the site was equidistant between Fordham and Burwell.

When put to the vote,

It was resolved:

That planning application reference 18/01291/OUT be APPROVED as it was considered a sustainable location.

#### **104. PLANNING PERFORMANCE REPORT – OCTOBER 2018**

Rebecca Saunt, the Planning Manager presented a report (T155, previously circulated) which summarised the planning performance figures for October 2018.

The Planning Manager highlighted the 25% increase in workloads since October last year and the 34% increase in workload between September and October 2018. The Blackberry Lane Planning Inquiry would be held the following week in the Council Chamber. If any Member wished to speak at it they would need to book with the Planning Inspector, and his email address would be circulated.

Councillor Mark Goldsack noted the high number of reports that had gone against officers' recommendations. He had not seen a bad report from the officers so the decisions were all about Members' views and he thanked officers for their work.

Councillor Joshua Schumann thought it was incredible that officers had kept on top of the workload despite its massive increase.

It was resolved:

That the Planning Performance Report for October 2018 be noted.

The meeting closed at 7:02pm.