



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday, 8th January 2020 at 2:00pm.

PRESENT

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

OFFICERS

Rebecca Saunt – Planning Manager
Angela Briggs – Planning Team Leader
Maggie Camp – Legal Services Manager
Barbara Greengrass – Planning Team Leader
Molly Hood – Planning Officer
Toni Hylton – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips - Planning Team Leader
Dan Smith – Planning Consultant
Angela Tyrrell – Senior Legal Assistant
Russell Wignall – Legal Assistant

IN ATTENDANCE

Cllr Lis Every (Agenda Item No. 5)
Cllr Julia Huffer (Agenda Item No.8)
35 members of the public

72. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillor David Brown.

It was noted that Councillor David Ambrose Smith would substitute for Councillor Brown for the duration of the meeting.

73. MINUTES

It was resolved:

That the Minutes of the meeting held on 4th December 2019 be confirmed as a correct record and signed by the Chairman.

74. DECLARATIONS OF INTEREST

Councillor Schumann declared a prejudicial interest in Agenda Item No. 12 (19/01470/OUT, Site South of 60 Longmeadow, Lode, CB25 9HA), being a Cambridgeshire County Councillor and Chairman of the Commercial & Investment Committee. He said that as it was the County Council's role to promote and develop the land, he would leave the Chamber before consideration of the item.

Councillor Jones wished it to be noted that with regard to Agenda Item No. 7 (19/00771/FUM, Land Parcel East of 2 The Shade, Soham), he lived almost opposite the application site.

75. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- It had been decided that comments made during Planning Committee meetings would be attributed to the specific Member in the minutes. If a case went to Appeal, it was important that Officers could identify which Member had made what remarks;
- A variety of cases were to be considered at today's meeting, and Members were reminded that each should be judged solely on its planning merits;
- Members were asked to note that a Planning Committee Update had been tabled at the meeting. It gave additional information received/updates relating to the cases listed on the Agenda, and would be provided for all future meetings of the Committee.

76. 19/00269/FUL – 34 BROAD STREET, ELY, CB7 4AH

Andrew Phillips, Planning Team Leader presented a report (reference U144, previously circulated) which sought permission for the demolition of a Victorian two storey terrace property and the construction of a three storey (including basement) designed to look like a pair of Victorian dwellings. However, the internal use would be a flat on the 1st floor with a D1 Use Class (Non-Residential Institution) being in the ground and basement level.

The application had been amended to overcome the concerns raised over detrimental impact to the visual/historic character of the area and the applicant had provided additional information to cover noise/disturbance issues raised.

The Update document stated that three additional neighbour responses had been received, but these concerns had been discussed and were already covered in the Officer's report. The neighbour comments of 34 Broad Street should read **46** Broad Street. The developer had revised elevation drawing 18063-03 P5 to include external stairs to basement; the new revision number was P6. The application was still recommended for approval, subject to the conditions contained within Appendix 1, and subject to Condition 1 being updated to cover the revised elevation to include external stairs.

The site was located within the settlement framework of Ely and was within the Conservation Area; it was located in Flood Zone 1. To the rear of the site was the Forehill Car Park and beyond this to the northwest was Ely Cathedral, a Grade I Listed Building.

Broad Street defined the front boundary (southeast) and the side boundaries were defined by attached properties that were both a mix of C3 (Dwellings) and A5 (Hot Food Takeaway).

It was noted that Councillor Lis Every had called the application in to Planning Committee in order that all planning considerations were fully explored, including opening hours.

A number of illustrations were displayed at the meeting, including a site location map, an aerial photograph, elevations, indicative sketch of the rear elevation, floor plans and the building to be demolished.

The main considerations in the determination of this application were:

- Principle of development;
- Residential Amenity;
- Historic Environment and Visual Impact;
- Highway and Parking; and
- Flood Risk.

The Planning Team Leader showed the Committee an image from Google Maps which detailed some of the community uses and businesses along Broad Street. The site was considered to be in a sustainable location with easy access by foot and cycle, including from the railway station. There were a number of bus stops, and the Forehill and Ship Lane public car parks in the locality.

The replacement of one two storey dwelling to a flat would have a neutral impact upon housing figures, and on this basis the Council's lack of a

five year land supply was considered to be immaterial in determining the application. The principle of development was considered to be acceptable.

In terms of residential amenity Broad Street, while having some business uses, was primarily residential in nature and the very early or late use of a building could cause substantial disturbance to local residents.

It was not possible to control numbers of people, but the hours of use could be controlled and other uses along Broad Street had their hours conditioned. The hours proposed were the same as the gym as this was considered reasonable. Construction work (including the creation of a basement) could cause substantial disturbance; however, this could be mitigated via the recommended conditions (Construction Environmental Management Plan, hours of work and piling).

With the substantial rear element now being single storey, the replacement building was not considered to have any long term impacts on residential amenity.

Speaking of the historic environment and visual amenity, the Planning Team Leader said the proposed front elevation was in context within its historic setting and would faithfully reinstate a traditional design that would preserve the Conservation Area. Best architectural practice clearly defined the intended main entrance and the use of the building. From an architectural viewpoint, the proposed design did not reflect the true use of the building as it did not look like a community building and the entrance was via the rear. However, this was not considered to lead to any harm to the character of the Conservation Area, as it would have a neutral impact. The loss of one of the traditional properties along Broad Street that had already lost some of its historic features and had no specific historic importance would not be detrimental to the Conservation Area. The proposal would have the lowest levels of less than substantial harm to the setting of the Cathedral and the harm was clearly outweighed by the benefit of a new community building.

With regard to highways and parking, parking standards would require 18 car parking spaces and 14 cycle spaces for the community centre. The proposal only provided one disabled parking space and 4 cycle spaces and would therefore place reliance on other non-car methods to arrive on site. The proposed scheme was in a very sustainable location, having access to public transport and nearby public car parks that most of Ely's businesses and communities relied on. On this basis, the parking provision was considered acceptable due to the proposal's central location. It was noted that the Local Highways Authority had raised no objections.

Members noted that the site was located within Flood Zone 1, but appeared to be at risk of surface water flooding. The creation of a basement could have significant impacts on water movement and therefore conditions regarding surface and foul water would be needed to ensure suitable long term water management.

The Planning Team leader concluded by saying that the public benefits of a new community centre clearly outweighed any harm to the Conservation

Area. While a community building was supported and conditions could be used to protect residential amenity, a 24/7 use would never be supported within this residential area due to the number of potential movements and disturbance to existing residential properties.

At the invitation of the Chairman, Dr Gulet addressed the Committee and made the following points:

- He was a GP and a trustee of the Muslim Community Centre;
- There was a small community, made up of different people and they felt settled in the wonderful community of Ely;
- They wished to continue to support and integrate with the local community;
- They had been trying to find suitable premises for a number of years, but it had been difficult;
- To help people have a better understanding of the faith, Councillors had been invited to attend a 'Breaking Fast' dinner, the Association had held courses in schools and it had been working with food banks and local churches;
- Prayers were held on a daily basis, five times a day and this was an important aspect of their religion. Four were held during the day and early evening/night and during the summer period, early morning prayers were at about 3.00am;
- The prayers were about five minutes long and quiet. People would be encouraged to walk or cycle to the centre and use the back entrance. Friday prayers attracted the most people;
- The building will be soundproofed;
- The Association had been using the Paradise Centre in Ely without any complaints;
- Considerable costs had been incurred in relation to this application. They had worked closely with the Planning Department and would continue to do so;
- The Muslim Centre would be a place of merit for Ely and the Committee should think of the benefits it could bring.

Councillor C Ambrose Smith said she was aware it was usual to have an audible call to prayer. While this would be no problem during the day, she wondered what would happen later on during the night. Dr Gulet assured her that no call would be made outside of the building.

Councillor Trapp asked how many people arrived on foot or by bicycle in comparison to car and he also enquired about the size of the community. Dr

Gulet replied that generally, 60 – 70% walked or cycled and 30% came by motor vehicle. There were 20 – 30 people in Ely.

Referring to the recommended restrictions on times of use, Councillor Jones asked if the Association would need to find another location if they were imposed. Dr Gulet said having such a restriction would cause difficulties.

The Chairman noted that the proposed building took up much of the footprint and wished to know where the commercial waste would be located. Dr Gulet replied that he was sure there would be enough space to accommodate it. He had looked at other well designed community centres to see how it had been done, but he would speak to the architect.

Councillor Stubbs expressed concerns regarding the complexity of the build and the substantial costs, and she asked Dr Gulet if pre-application advice had been sought. He confirmed that it had and that the applicant was confident in the long term because most of the money was already in place. The remaining funds would be raised as soon as possible and before work commenced.

In response to a question from Councillor Wilson about dialogue with the neighbours, Dr Gulet said that the Association had had a meeting with them a few weeks ago. They were not going to rush into anything and wanted to ensure that the construction did not cause any issues and wanted to work closely with everyone.

The Chairman having asked Dr Gulet to clarify whether the building would be a mosque or community centre, and if it would be available to all people, was advised that it would be a community centre but with some prayer activities being held there. The centre would be available to everyone.

Councillor Jones noted that the neighbours on one side were less supportive of the scheme than those on the other and he asked if this had been resolved. Dr Gulet replied that conversations had been held with both sides in order to try and reassure them.

At the invitation of the Chairman, Councillor Mike Rouse, Mayor of Ely, addressed the Committee and read from the following prepared statement:

'The City of Ely Council fully supports this application and has done at every stage. We would like to thank the Planning Officer and the applicants for the willingness to co-operate over a considerable period of time to bring this forward with a recommendation for approval.'

Historically this area of Ely, the Broad Street and the riverside, was the commercial area and quite self-sufficient from the rest of Ely with breweries, public houses, shops, chapel, church and some generally poor housing. It has, as you will have seen today, a wide range of property uses, from a tyre business, bathroom showroom, fitness club, dentists, hairdressers, shops, offices, takeaways and church. It has undergone much gentrification in recent years, but this building sandwiched between two takeaways contributes little architecturally.

The City Council has a policy of inclusiveness which recognises the right of our citizens to assemble and worship. We have the Cathedral, St Marys and St Peter's Churches for the Church of England, a Roman Catholic church, a Methodist church, A Jehovah Witnesses Hall and there are various free and evangelical churches as well as Bahai, Spiritualists, Quakers and Pagan meeting. Currently our Muslim citizens worship at the Paradise Centre and as you will note from the report this has caused no issues.

Those of you who, like me, have attended a Muslim prayer meeting will know that these are very devout and quiet assemblies, unlike a free church with perhaps a rock band and hymn singing.

Our Muslim friends, who contribute much to the business and social life of the city, want to have a community centre which will be open for all to have a better understanding of their religion and for their children to attend. When they tried a few years ago now, the Committee was keen to help them achieve such a centre, but that application failed on access and safety grounds. There are no such issues with this property as it backs onto and with access from a large free public car park.

In urging you to approve this application, may I, with respect, ask you to carefully consider the conditions imposed so that they do not prevent a small number of worshippers during May to July observing prayers at dawn/before sunrise and night/before bed, perhaps the proposed conditions could be amended to allow for this. It is important to emphasise that obligatory prayers five times a day are an integral part of the daily life of the Muslims living in our community.

Thank you, Chair, Members – the City Council hopes you will approve this application for its public benefits and take care that the conditions allow the building to be used for the purpose intended.'

Councillor Schumann asked if the City of Ely Council would be prepared to remove any time restrictions and Councillor Rouse replied that they would have no problem with this as they trusted the Muslim community's integrity.

At the invitation of the Chairman, Councillor Lis Every, a Ward Member for Ely East, addressed the Committee and read from the following prepared statement:

'As an ECDC Ward and City of Ely Member, I am totally in support of this application and thank the Officers for their recommendation for approval. I called it in as I felt it was a decision which should be heard in public and wanted to ensure planning conditions are explored including the hours of opening.

For almost 10 years, the applicants have been seeking premises for their own community facilities which can be used by all ages, particularly a safe educational and social environment for their young people – this is a community we value and support. This approach was endorsed by the City of Ely Council as long ago as 2011 when unfortunately the premises they

originally found were deemed unsuitable as they were on an industrial site. The Mayor at the time, Cllr John Yates, who spoke at this application, pledged the City of Ely Council's support for finding a suitable venue for a community hub.

During this time, the applicants have been using the Paradise Centre as their community hub and other local venues when required which has not been ideal. I would like to bring to your attention the Paradise Centre's endorsement with their excellent references on the time that the applicant have used these services.

I am delighted therefore, that premises have finally been found and work has taken place with the Planning Department resulting in the application you have before you today, with the Case Officer's recommendation for approval. I would like to thank the Case Officer, Andrew Phillips, for his work on this. The recommendations are fully documented in the Planning Comments from the Officer (Pages 8-14 inclusive).

However, concentrating on the material planning issues, I would like to highlight a couple of points that the Case Officer has based his recommendation on. These are:

Broad Street is not purely residential, with the site located between the city centre, the river side and the railway station with takeaways, office space, car repair service and a church all operating on a busy road with limited on street parking, but close to two public car parks which are by definition public and apart from some controls to prevent parking, can be used by everyone equally.

The community facilities are well located and accessible, in a sustainable location with easy access by foot and cycle. There is no adverse impact on traffic or the character of the area or residential.

The recommendation from the Conservation Officer is not accepted by the Case Officer on the basis that the public benefits of providing a community building, while not leading to the loss of a dwelling unit, weighs in favour of the application, and the proposal has been designed which meets the contextual demands and refusing this application on this basis would be unreasonable.

Issues raised through consultation have been addressed and we are delighted that the City of Ely Council continues to support the need for a community hub for our applicants and has no concerns with this application.

Therefore, I would ask you to recommend this application but ask you to consider amending one of the suggested conditions.

I want to confirm what has been said by the applicant. An integral part of the applicants' faith is they have 5 daily prayers which are obligatory and are very often undertaken in a community hub facility. Three of these prayers are done during the day. The most popular session is Friday lunchtime. For nine months of the year, a further 2 prayers take place early in the morning and late at night which would be within the opening hours conditions. However, for

3 summer months these would require the extension of the opening hours to include time up to midnight (just outside the recommendation) but as early as 3.00am. This is a small community and the numbers attending is likely to be under half a dozen. Prayers are short (usually 5 -10 minutes) and are very quiet. Access would be via the rear (walls will be insulated although not necessarily required) and once undertaken, the members of the community leave quickly. This has taken place at Paradise Centre for more than 10 years and there have been no complaints or disruption to user service users.

I would like to ask Members of the Committee to consider including in the opening hours conditions, these changes to the opening hours to facilitate the faith requirements of our valued local community who give so much back to us. The numbers are very small and will remain so and their track record is exemplary. This would make such a difference to them and provide them with a community hub which will allow for them to fully practice their faith. Their integration into and contribution to our local community cannot be underestimated. Please support this community; their faith needs and the City of Ely inclusivity. Would the Committee consider a trial period which would allow the community to demonstrate their commitment to not causing disturbance?'

Councillor Stubbs noted that there had been some objections to the proposal from residents, particularly concerns about the structural aspect. Councillor Every replied that the applicant would work to overcome those concerns and this would have been taken into account by the Case Officer as part of the proposal process.

Councillor Trapp remarked that he believed pre-dawn prayers would be from March to September rather than May to July. Having access from the rear of the building would be less disruptive and Councillor Every reiterated that the numbers attending would be very low.

The Planning Team Leader interjected to say that the recommended hours were due to the Use Class D1, the same as elsewhere in Broad Street. Planning did not give 24/7 hours use in residential areas; it was about approving the Use Class, not the people. He strongly recommended that the recommended hours were not changed, but it was for Members to decide.

Councillor Schumann asked what planning conditions were imposed on the Cathedral and was advised that there were none. He said that such buildings were not conditioned and there were a number of such community buildings in Ely. Licensing and Environmental Health could take measures to impose controls, if required.

Councillor Jones wished to know if the application was approved as it stood, could the hours of use be relaxed at a later date. The Planning Team Leader replied that the applicant could ask for a variation, however, he would recommend refusal but the applicant could appeal.

Councillor Wilson noted that in the past, hours of use had been made personal to individuals and he wondered if it could be done in this case. The Planning Team Leader replied that it was not best practice and should only be

permitted in special circumstances; Councillor Wilson believed the application to be a special case. He also spoke of a scheme in Haddenham where finances had run out and the site was left with a very deep, dangerous hole. He felt that, in view of the depth of the basement proposed for this application, there should be a legal requirement, such as a S106 Agreement, to ensure that such a situation did not arise again as a half-finished element would be unacceptable.

The Planning Manager said the Planning Team Leader had spoken to the Legal Services Manager and although a S106 could be done, she would not advise it. The Legal Services Manager confirmed that legal had been consulted and having looked at the tests in the NPPF and the CIL regulations, a S106 was only appropriate to make an otherwise unacceptable planning application acceptable in planning terms. She added that the Planning Team Leader had not proposed a S106 Agreement in his report and he was therefore satisfied that the application was acceptable in planning terms without a S106. However, if Members were of the opinion that the application would only be acceptable in planning terms with a S106 Agreement in relation to phasing of the development, then they would need to have good planning reasons as to why a S106 Agreement should be entered into.

Speaking of the basement and long term construction, the Planning Team Leader said he had recommended a CEMP to address this very point, and he would expect it to be supported by a civil engineering report. Pre-application advice had been given and discussions would continue; he had no problem with the community use, but not for 24/7.

The Chairman asked the Officer to comment on the point that a building in the Conservation Area should not be demolished unless it would bring substantial benefits to the public. The Planning Team Leader replied that the building had lost many of its traditional features and its loss would not cause much harm to the Conservation Area, and the public gain would be a community building.

Councillor Trapp wished to know whether the gym in Broad Street opened at 6.00am and if the numbers of people using it were more than those for the proposal. The Planning Team Leader again reiterated that it was about controlling the building, not those using it. Councillor D Ambrose Smith said the proposal was for a community building with a variety of uses and people. Prayer was only a small part and he would support the removal of the condition for hours of use if the Committee was so minded.

The Planning Manager reminded the Committee that conditions had to be enforceable; Members could remove the restriction but it could cause problems in the future.

Councillor Stubbs asked if the Conservation Officer still objected to the application. She was informed that he did, but it was considered that the proposal would still preserve the appearance of the building despite the secondary access being on Broad Street.

Councillor Schumann recalled the previous application, saying it had been refused with a heavy heart. This new application was in the city centre and there was once a club only a few hundred metres away; he could not imagine that the Muslim community would make more noise than people leaving the club. The structural issues could be controlled and he too was inclined to remove the time limits or work with the community to address them as licensing could be much more finessed. The City of Ely Members were resolute and had no concerns and he therefore supported approval of the application, with Condition 3 being altered to fit with prayer commitments.

The Chairman expressed his support for the Officer's recommendation as it stood, adding that the applicant could come back with an application for variation of the hours.

Councillor Stubbs said she could not support doing anything drastic regarding the hours, as it would be dangerous to change them without consideration and she was mindful that the scheme would be primarily in a residential area. Environmental Health had suggested that windows and doors should be kept shut, but this could not be monitored. The waste considerations had not been thought out and she was not happy with the demolition of the building in a Conservation Area, based on the concerns raised by the Conservation Officer.

Councillor Trapp said the objections were about the construction work, not noise, and he believed that having a rear entrance would help mitigate the traffic and people entering the building. He was mindful that the frontage proposed would be a great improvement and he concurred with Councillor Schumann's comments.

Councillor Wilson expressed his support, saying there were no time restrictions on the Broad Street car park, and besides which, churches held Midnight Mass at Christmas and Easter Dawn Mass. The Muslim Community had tried really hard to get a building in Ely and Members were trying to help them. However, he still had some concerns about money running out and the basement having to be filled in.

It was duly proposed by Councillor Schumann and seconded by Councillor Wilson that the Officer's recommendation be supported, but with the updated Condition 1 as stated in the Committee Update, and the removal of Condition 3 relating to the times of use.

Councillor Downey was happy to support the motion, but Councillor Jones said he was mindful of the dissenting voices and favoured a more 'slowly, slowly' approach. The Chairman declared his support for the restriction on the hours of use, saying the application could come back to Committee and be done properly.

The Committee returned to the motion, which when put to the vote was declared carried, there being 7 votes for, 3 votes against and 1 abstention. Whereupon,

It was resolved:

That planning application reference 19/00269/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report and the updated Condition 1 as stated in the Committee Update, but with the removal of Condition 3 relating to the times of use.

Councillor Downey left the Chamber at 3.36pm and returned at 3.39pm.

77. 19/00702/MPO – LAND NORTH OF CAM DRIVE, ELY

Angela Briggs, Planning Team Leader, presented a report (reference U145, previously circulated) which sought to vary clause 1.5 of Schedule 8 of the original S106 Agreement in relation to the delivery of affordable housing.

Members were asked to note that the description had changed and they were referred to the Update Document which set out the following:

Amendment to the application proposal:

'To vary the S106 agreement to facilitate an early review on viability; increase the level of affordable housing on Phase 2 or 3, whichever is the latter, with a further viability review at Phase 5; and to secure the early delivery of the A10 roundabout and associated infrastructure

Amendment to the Recommendation (Paragraph 1.1):

Members are recommended to APPROVE the Deed of Variation to vary the original S106 Agreement to facilitate an early review on viability which would involve fixing the resultant level of affordable housing across Phase 2 or 3, whichever is the latter, with a further viability review at Phase 5; and to secure the early delivery of the A10 roundabout and associated infrastructure.'

The Deed of Variation would secure the earlier delivery of the new A10 roundabout and associated infrastructure; a new clause 7 of Schedule 5 would also be inserted into the agreement to secure the delivery of the new roundabout as part of Phase 3.

A number of illustrations were displayed at the meeting, including a map, aerial view, the phasing plan approved as part of the original S106, and a location plan showing the new roundabout.

It was noted that a draft Deed of Variation document had been submitted and Andy Leahy, from Bespoke Property Consultants was instructed as the Council's independent viability consultant to review the viability position relating to this application.

In terms of the viability position, the delivery of affordable housing would be increased from 10% to 18% across Phase 2 or 3, whichever was the latter. Phase 4 would not deliver affordable housing as it would provide self-build plots, allotments and open space. The second viability review would be

retained (before the commencement of Phase 5) to determine the percentage of affordable housing to be built in that phase.

The Council's independent viability consultant had advised that the increase from 10% to 18% was a viable position and was acceptable and would also give developers certainty leading to continued housing delivery. Members were therefore recommended to agree the variation to the original agreement and approve the application.

At the invitation of the Chairman, Mr Duncan Jenkins, Project Director, addressed the Committee and made the following points:

- He thanked the Case Officer for a clear and concise report;
- The variation would see the early delivery of a further 250 homes;
- The infrastructure for the A10 roundabout would be brought forward early;
- The proposed variation would increase the level of affordable housing;
- He commended Officers and Mr Leahy for having worked well together to produce a good application.

The Chairman noted that Councillor Downey had left the Chamber without indication as the application was being introduced. However, as his absence was very short, he would be permitted to participate in the discussion and voting on this item.

Councillor Schumann was pleased to see there would be another level to check the viability of the affordable housing percentages, and Mr Jenkins confirmed that it was not intended that it should be an aggressive review and he would continue to work with Officers.

Councillor Wilson asked how many affordable homes were to come; the Planning Manager replied that Phase 1 would deliver 10%, Phase 2 or 3 would also deliver 10% but whichever was the latter would be 18%. There would be no affordable housing in Phase 4 and Phase 5 would be subject to further review. The permission was for up to 1,200 dwellings.

Mr Jenkins informed Members of the following figures:

- Phase 1 – 200 units, 20 affordable;
- Phase 2 – 250 units, 18% affordable;
- Phase 3 – 258 units, 10% affordable;
- Phase 4 – 95 units, no affordable but 50 self-build; and
- Phase 5 – 200 – 250 units, affordable subject to viability review.

It was proposed by Councillor Wilson and seconded by Councillor Schumann that the Officer's recommendation for approval be supported. When put to the vote,

It was resolved unanimously:

That the Deed of Variation to vary the original S106 Agreement to facilitate an early review on viability which would involve fixing the resultant level of affordable housing across Phase 2 or 3, whichever is the latter, with a further viability review at Phase 5, and to secure the early delivery of the A10 roundabout and associated infrastructure, be APPROVED.

78. 19/00771/FUM – LAND PARCEL EAST OF 2 THE SHADE, SOHAM

Barbara Greengrass, Planning Team Leader, presented a report (reference U146, previously circulated) which sought permission, on a site of 1.78 hectares (4.39 acres), for the erection of a 70 bed care home, a 60 place children's nursery and 18 dwellings, of which 4 (20%) would be affordable housing, together with public open space.

The application site was located within the settlement boundary for Soham and formed part of a larger site allocation for employment/mixed use under Local Plan Policy SOH9. It consisted of an agricultural field under arable cultivation. The site was adjacent to the existing Northfield Road Business Park and residential properties bounded the site to the north; a Public Right of Way bounded the site to the south with the field beyond allocated for housing within the Local Plan.

It was noted that the application had been brought to Planning Committee because it proposed less than the 30% policy compliant provision of affordable housing units.

A number of illustrations were displayed at the meeting, including a map, aerial view, the layout of the proposal and elevations.

The main considerations in the determination of the application were:

- Principle of Development;
- Visual Impact and Housing Mix;
- Noise and Residential Amenity;
- Access, Highway Safety and Transport Impact;
- Flood Risk and Drainage; and
- Ecology and Biodiversity.

The Planning Team Leader reminded the Committee that there was an extant planning permission for residential development on the site, together with the land to the south. When permission was granted in 2018, it was accepted that there was limited demand for commercial land within

Soham and it would not be viable to bring this land forward for employment use. The principle of residential use was therefore established.

The provision of the children's nursery was acceptable in terms of the locational strategy of the Local Plan and sustainability as it was well located near to existing residents and The Shade Primary School. It would also allow for accessibility by other modes of transport. The applicant had provided evidence of need in respect of the care home, as Policy HOU6 pointed to a significant growth in the population of older people in the area and the proposal would also contribute to the Council's housing land supply shortage.

With regard to visual impact, the development would be prominent along The Shade, but as frontage development it would not appear out of keeping with the mix of development types in the vicinity. An appropriate relationship would be achieved between the care home and the houses with the use of boundary treatment including brick walls and planting. The detached dwelling most visible upon entering the site would provide a feature house with a landscaped frontage.

The design of the scheme was largely reflective of the previous permission and in keeping with the character of the area. Simple rectilinear forms and materials would follow the local palette of buff and red brick, with the use of render and weather boarding. The scheme would also provide attractive feature walls as they were required for security along the front of the care home and nursery.

The Committee noted that the affordable housing mix would be secured by S106 Agreement. Although the 20% provision did not comply with Policy HOU3 of the Local Plan (which required 30%), the Viability Assessment Information – Interim Policy Support document, April 2019, recommended that for Soham, the affordable housing element should be reduced to 20%. This development complied with the document.

Speaking next of noise and residential amenity, the Planning Team Leader said that the scheme had been amended to reduce the bulk of the care home roof at the end close to the residential property. Only the narrower sections of the care home would extend towards the boundary of the neighbouring property and the flank elevations would not contain windows to habitable rooms. The north boundary hedge was to be retained and would be enhanced; where gaps existed, a close boarded fence might be erected, subject to a planning condition to finalise the detail of the boundary.

A Noise Impact Assessment was submitted with the application along with supplementary information. It concluded that the main noise source was from the business park to the east but this could be adequately mitigated by the erection of a carefully placed 2 metre high acoustic fence. The dwellings to the north would not be impacted by traffic noise from the A142, but the Noise Assessment highlighted high noise levels from traffic on The Shade. Along the front façade of the care home, the levels could not be acceptably mitigated with windows open (although windows could be opened at the

occupant's discretion), but passive ventilators would be installed to achieve acceptable internal noise levels.

The access to the site and the off-site road works were all the same as the previous planning approval. The access location had been assessed in respect of accessibility and permeability and deemed acceptable by the County Council Transport Planning team. Two car parking spaces would be provided per dwelling and none were in tandem arrangement; five visitor spaces would also be provided.

The site was located in Flood Zone 1 and a drainage strategy had been developed to enable drainage to be dealt with on this site in isolation. Anglian Water advised that there was capacity in the network for foul drainage flows and changes could be made to permits and processes as and when the need arose.

A biodiversity management plan would be secured by condition and the developer had agreed to make a financial contribution towards the long term arrangement of the Commons.

The scheme was not considered to adversely impact upon any heritage or archaeological assets within the vicinity of the site and accorded with Policy ENV7.

The County Council had requested contributions for education and Life Long Learning. This was accepted in principle by the applicant and would be secured by S106 Agreement.

The Planning Team leader concluded by saying that on balance, there would be no significant adverse impacts that would weigh against the proposal and it was therefore recommended for approval.

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

- The developer had completed more than 150 high quality developments;
- The land identified would address local needs and the housing mix would address the needs of the whole community;
- The dementia and end of life care home would be exemplar and bring savings to the community. There would be jobs for local people, housing would be released, the nursery would address the shortfall in provision and there would be intergenerational activity;
- The proposal respected amenity and there would be extensive areas of landscaping and public open space;

- The overall response to the proposal had been very positive and issues and been addressed;
- The development would complement Soham.

Councillor Jones said he lived off Kingfisher Drive, and whilst appreciating what was being done, he was aware that there was no easy access for children to The Shade Primary School. He asked if the developer had considered a contribution towards a crossing at the end of Kingfisher Drive and was advised that the existing crossing was to be relocated. There had been extensive consultation with the Local Highways Authority and they were content with the proposed scheme. A crossing at Kingfisher Drive was not in the Officer's report as it had not been requested by the LHA.

Councillor Jones said a reassurance about having a crossing would be good and the Planning Manager commented that while it could be discussed, the Authority could not insist on it; it would be picked up in the S106 discussions.

Councillor Schumann asked how many of the 18 dwellings would have tandem parking. Mr Kearney replied that each property would have 2 parking spaces and none would be tandem.

Councillor Wilson, having noted that there was permission for 88 dwellings, was interested to know what would happen to the rest of the field. The Planning Team Leader said that the southern part would come forward; the site had reverted back to mixed use and this would create jobs.

In noting that the roads would be adopted by the County Council, Councillor D Ambrose Smith proposed that the Officer's recommendation for approval be supported. The motion was seconded by Councillor Stubbs and when put to the vote,

It was resolved unanimously:

That planning application reference 19/00771/FUM be APPROVED subject to the signing of the S106 Agreement and the recommended conditions as set out in the Officer's report, with authority being delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission.

79. 19/00887/FUL – LAND ADJACENT TO 2C MOOR ROAD, FORDHAM

Toni Hylton, Planning Officer, presented a report (reference U147, previously circulated) which sought permission for the erection of 4 detached single storey dwellings on a site area of approximately 0.69 hectares.

Members were asked to note the Update Document, which set out the following details:

➤ Change wording of Condition 12 – to read *‘The boundary treatments shown on 19:002-9 Rev D shall be implemented prior to the first occupation of any of the dwellings hereby permitted. The boundary treatments shall be in accordance with the approved details.’*

➤ For the purposes of clarification in para 2.1, the four dwellings are shown as having a different material pallet;

➤ New Condition:

18. No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan 2015.

➤ Conversion from metric to imperial measures

5.5m = 18 feet

24m = 78 feet

30m = 98 feet

40m = 131 feet

70 m = 229 feet

0.69 hectares = 1.7 acres

0.95 hectares = 2.3 acres.

The site was located outside of the established development framework of Fordham, in an area of countryside and it was currently being used as paddock and grazing land. The site adjoined the rear boundaries of dwellings on Carter Street and Grove Park, with open countryside to the north and east.

It was noted that the application had been called in to Planning Committee at the request of Councillor Julia Huffer, as there were concerns with regard to highway safety.

A number of illustrations were displayed at the meeting, including a location plan, aerial view, proposed layout, and layouts/elevation for each of the plots.

The main considerations in the determination of this application were:

- Principle of development;
- Impact on the neighbours;
- Impact on the character of the area;

- Highway safety;
- Flood Risk; and
- Ecology.

Members were reminded that the Authority could not currently demonstrate an adequate five year supply of land for housing. Therefore housing applications should be assessed in terms of the presumption in favour of sustainable development as set out in the NPPF unless any adverse effects of the development significantly and demonstrably outweighed the benefits.

The site adjoined the settlement boundary in a number of places and was therefore considered to be sufficiently well connected, alongside a number of residential dwellings and within close proximity to the facilities and services on offer in the village.

The Planning Officer said that outline planning permission was granted for four dwellings on a slightly larger site and she reiterated that the permission was still extant. There had been no significant change in policy other than the adoption of the Fordham neighbourhood Plan that would resist this development. While it was accepted that the scheme was outside the development envelope for Fordham, contrary to the Neighbourhood Plan, it was at submission an extant permission and it would be unreasonable of the LPA to consider this application anything but in principle acceptable, subject to other material considerations.

Members' attention was drawn to the slide which set out comparisons between applications 17/00871/OUT and 19/00887/FUL. The main difference between the proposals was the site area and amount of footprint for the dwellings. While it would be preferable to see these reduced, 6 dwellings per hectare was considered to be a low form of development. It could not be considered to be overdevelopment and on this basis was considered to comply with Policies ENV1 and ENV2 of the Local Plan 2015.

The main neighbours to be affected by the proposal were 2C and 2B Moor Road, 15, 17 and 19 Grove Park, and 186 – 174 Carter Street. Conditions would be imposed restricting the hours of construction, there would be no conversion of roof space and no extensions or outbuildings. Car ports would remain open and there would be no piling of foundations.

The development would have an urbanising effect on the area, but it would still be considered as low density, having substantial gardens and spacing between the dwellings. On balance, it was considered that any adverse effects on the character and appearance of the area would be outweighed by the benefits of the scheme.

In connection with highway safety, it was noted that the scheme would provide a minimum of two parking spaces per dwelling and safe access within the site that would also enable a fire appliance to manoeuvre. The passing bay would be the same size as that approved in 17/00871/OUT, and with the

provision of a bin store, there would be no need for a refuse vehicle to enter the site.

The proposed development was located in Flood Zone 1 and a sustainable drainage system would be secured by condition.

With regard to ecology and trees, the proposal included a mix of planting and a condition would be imposed requiring a detailed biodiversity scheme.

Looking to the future, some areas were not included in the application and if an application was submitted then possible future plots would require an affordable housing contribution and a renewable energy contribution of at least 10% due to piecemeal development.

The Planning Officer concluded her presentation by saying that the application was recommended for approval.

At the invitation of the Chairman, Mrs Fiona Regan addressed the Committee and made the following remarks:

- She resided at 15 Grove Park and asked that the Committee refuse the application;
- Permission had been given for up to four two bedroom bungalows that would be landscaped so as not to give a built up feel. They would be facing outwards toward the Moor and ECDC had been very specific about this;
- Responses from 20 neighbouring properties wanted the application rejected and valid points had been made regarding the very narrow Moor Road;
- The road was used by three farmers and their vehicles, and with these four dwellings, there would be an additional twelve cars;
- There was no passing place and no footpath. This was mission creeping and it was felt that there had been an appalling abuse of trust by the applicant;
- The village had a plethora of 4 bed dwellings being built, and what it needed was 2 bed properties and the footprints shown were twice the size of the original footprints;
- She cared about what was right and fair, and promises needed to be upheld;
- The design and layout was not what had been approved and she asked that the application be refused.

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

- The access was in the same place as it had been before and was fully compliant;
- Councillor Huffer had called in the application as she had concerns regarding highways and a footpath. There had been revisions to the scheme and County Highways now had no objections;
- The access and passing place were as originally proposed and would improve the current situation. The measurements could have been supplied to the Parish Council;
- The bin store had been moved so as to mask unsightly containers;
- There are no two or four bedroom bungalows on the market in Fordham. The proposal adhered to the previous ridge and eaves height;
- The proposal is larger but Permitted Development Rights (PDR) were not removed at the outline stage on the previous application, so if that permission was implemented, the dwellings could have been extended without requiring planning permission ;
- This permission removed Permitted Development rights and allowed control. This could include outbuildings and allow extensions to be built, but only with the consent of the Local Planning Authority;
- He disagreed with the Parish Council that the proposal was detrimental.

Councillor Wilson enquired why some of the garages had been changed to car ports, and Mr Palmer replied that the intention was to provide a mix.

Dwelling on the issue of extensions, Councillor Trapp asked if Mr Palmer was suggesting that there should be bigger developments; Mr Palmer said he felt that the developable form on the site could be bigger.

At the invitation of the Chairman, Parish Councillor Kelli Neale addressed the Committee on behalf of Fordham Parish Council and read from the following prepared statement:

'You would have already read the comments of the Parish Council in respect of this application and I do not intend to go over that again but to take you back to a previous application No. 17/01239/OUT approved 11th August 2017 for residential development for the construction of 4 bungalows submitted by Oxygen Real Estate Group. You will also have in front of you the Community Consultation Leaflet by Oxygen Real Estate Group.

You will see that Oxygen's initial proposals were for 4 large detached homes but following a meeting with the Parish Council the proposal was changed to 4 small bungalows suitable for older people wishing to downsize and young people looking to get on the housing ladder. As a result the Parish Council raised no objections as Consultees and the application was approved.

At this point I would draw your attention to Condition No. 17 of that approval 'The number of dwellings hereby approved shall be limited to four and each dwelling shall have a maximum height of 5.5 metres, a maximum eaves height of 2.5 metres and a maximum footprint of 12 metres x 15 metres or 180 square metres.' The Parish Council were satisfied and happy with that condition as it ensured that its objectives had been achieved.

The Parish Council take the view that these conditions were put in place to ensure that only affordable properties are built. If that not be the case, what is the point of such conditions if they can simply be dismissed by a new application. So we are back where we were in 2017 but with an application for 4 large 4 bedroom properties which does not have the support of the Parish Council or the community.

You now have to consider the new application for the same site from a different Applicant. This applicant would have been aware of the planning approval and all the conditions attached when purchasing the land.

Since the approval of application No. 17/01239/OUT the Fordham neighbourhood Plan has been adopted and therefore this new application is subject to the FNP and has to comply with it.

Once adopted, Neighbourhood Plans hold considerable legal status. Planning decisions will be taken in accordance with Neighbourhood Plans and the other plans and strategies which make up the Local plan, unless material considerations indicate otherwise.

The proposed development is outside the development envelope of the village as shown in the FNP. The layout of the buildings is poor with large expensive bungalows bunched up and facing each other in comparison to the approved application where all the properties are well spaced and looking out over open countryside.

The Parish Council ask why it is necessary to design such a layout when there is ample room for the properties of this type to have more spacious plots of land as that which has already been approved. The previously approved application does comply with the FNP, where sites are immediately adjacent the development envelope for affordable housing.

I would like to demonstrate the importance of our Neighbourhood Plan:

An appeal against the refusal of 5 houses on the Soham Road, Fordham was dismissed by the Inspector. Application reference .18/01020/FUL dated 22nd July 2018 was refused by notice dated 20th September 2018. This was before the FNP was adopted, however the appeal was made after the FNP was adopted.

The Inspector attached great importance to our Neighbourhood Plan in his decision and I quote:

'Subsequent to the Council's decision but prior to the submission of this appeal, the Fordham Neighbourhood Plan 2016-2036(NP) was made and became part of the

development plan for the area. I must take that document into account in assessing this appeal, as part of the current development plan for the area. This is in line with the legal obligation on planning decision makers to have regard to new material considerations up to the time that the decision is made.'

The Committee should not be persuaded that a principle of development has been established simply because of the previous approval. All new applications are now subject to the FNP and we ask the Committee to follow the guidance of the Inspector in that recent appeal and refuse this application.'

At the invitation of the Chairman, Councillor Julia Huffer, a Ward Member for Fordham & Isleham, addressed the Committee and read from the following prepared statement:

'This site has been the subject of numerous applications, refusals and appeals until following the failure of the 2018 Local Plan which allowed for permission to finally be granted for 4 dwellings. The Fordham Neighbourhood Plan is now in effect and has proved effective in restricting development to areas acceptable to the village. This has never been a popular site with local residents and that has not changed but the mitigation of 4 small single storey dwellings suitable for first time buyers or residents wanting to downsize but remain in the area made it more appealing to the Parish Council and local residents. However once again a developer has completely ignored the wishes of local people and also failed to recognise that 4 more executive houses simply aren't what is needed in a village already overwhelmed with in excess of 500 new dwellings currently with planning permission and awaiting development. We need affordable housing for local people; please to help us to achieve that. I endorse Councillor Neale's statement wholeheartedly.

You will have seen yourselves this morning the site and narrowness of the road, however had you been there two weeks ago you would have witnessed a very wide range of very large agricultural vehicles, sugar beet harvesters, tractors with trailers and HGV vehicles queuing to take away the crop. This is a road widely used by this type of vehicle on a daily basis and yet once again Cambridgeshire Highways have completely ignored the guidance of the Rural Road Design Criteria, clause A6.10 that states that 'the combined width of a single track road plus parking bay shall be 5.5 metres over a length of 5 metres (or 15 metres where likely to be used by buses to heavy goods vehicles).'

Moor Road is heavily used by 38 tonne HGV's together with combine harvesters and delivery lorries accessing the farms both arable and livestock that are located along the road. At the position of the passing bay shown on the drawings the existing carriageway is only 3.1 metres and the verge is 2.4 metres to the edge of the ditch. Can Highways explain why it made no comments about this or do Cambridgeshire Highways not have to abide by thi ruling. This is not the first time that Fordham has been let down by Cambridgeshire Highways but I hope it will be the last. The failure of the department to assess the impact of their decisions on local people, the apparent lack of understanding of a busy rural village resulted in one Officer designating the road that runs past the site of the new Co-op, which at times sees in excess of 500 cars, buses and lorries an hour, as a 'quiet B road', an

assessment which indicated to me that that particular person had never left his desk or didn't live in the real world. One elderly resident died last week as the result of being struck by a van on this 'quiet B road' crossing from the site of the new Co-op, a development which the Parish Council and I fought hard to stop but following the lack of proper assessment of the road by Highways was eventually granted permission by the Inspectorate. We warned at the time that lives would be lost, I am saddened and horrified that we were correct on that occasion. Please ensure the safety of our residents and ask Highways to do their job properly. If the development must go ahead, the very least we need to do is to keep the many dog walkers, rambles and other users of Moor Road safe. How many people have to die or suffer injury until we are listened to?'

Councillor Schumann endorsed Councillor Huffer's comments about Highways, but said that the access to the site and passing bay remained unchanged. He felt the Committee was in a difficult position because there was the potential for extensions to the previously approved application and Members had to look at the differences. Councillor Huffer responded, saying that she believed Highways to be fudging; the farmers had to be accommodated, they had been there for centuries. The village needed 2 bedroom houses and it already had in excess of 500 live applications.

The Planning Officer said that while the access was in a similar position, it was the same layout and provided the same visibility.

Councillor Trapp queried the dimensions of the passing place and was advised that the useable space was approximately 8 metres long and 1.8 metres wide.

Councillor Stubbs remarked that the Parish Council did not seem to agree that the decision for the access had been made before the Neighbourhood Plan. The Planning Manager replied that the original decision was approved before the NHP but now conflicted with it, although there was an extant permission on the site for 4 dwellings and that had to be taken into consideration. Councillor Stubbs went on to ask if there would have to be affordable housing on the other piece of land if it came forward or, in the light of the NHP, could that application be refused. The Planning Officer replied that at this point she could not say, but affordable housing and energy contributions would be a necessity as if it came forward it would be considered piecemeal development.

Councillor Jones wished to know, with an extant permission, if the builders could apply for extensions to 2 bedroom properties and he was advised that once the properties were built, it would not be necessary to seek permission to extend as this could be done under Permitted Development Rights (PDR).

The Chairman drew Members' attention to recommended Conditions 16, 17 and 18, and the Planning Manager clarified that not every PDR was being removed, just those relating to roof space, extensions, sheds and car ports.

Councillor Schumann said that as a Ward Member and having served on the Planning Committee for nine years, he had built up knowledge and he could see no material reason to refuse the application. He had every sympathy for the Parish Council and residents, but he did not see how the Committee could go against the Officer's recommendation.

It was duly proposed by Councillor D Ambrose Smith and seconded by the Chairman that the Officer's recommendation for approval be supported. When put to the vote, the motion was declared carried, there being 10 votes for and 1 vote against.

It was resolved:

That planning application reference 19/00887/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report and the updated Condition 12 and new Condition 18 in the Committee Update.

There followed a short break between 5.11pm and 5.20pm.

80. 19/00897/FUL – THE THREE PICKERELS, 19 BRIDGE ROAD, MEPAL

Molly Hood, Planning Officer, presented a report (reference U148, previously circulated) which sought permission for the temporary erection of a single storey marquee between the months of April to October. The application also sought permission for an outside bar and store which were situated within a converted shipping container.

The marquee and outside bar were proposed to be used for functions as part of The Three Pickerels, and the shipping container would form a permanent structure on the site. It was noted that the structure had already been in use throughout 2019 and was present at the time of the Officer visit.

Members were asked to note the Update Document, which set out the following details:

Additional comments received from Natural England:

The following comments have been added after discussions with the SSSI officer. The development is located within the boundary of the Ouse Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site. However, disturbance impacts to the notified and qualifying bird features of the internationally designated site are likely to be limited by distance to sensitive bird habitat and the buffering effect of the Hundred Foot River and built infrastructure. However, you should ensure that the applicant submits sufficient information to enable the Council, as Competent Authority under the provisions of the Conservation of Habitats & Species Regulations 2017 (as amended), to prepare a Habitats Regulations Assessment (HRA) to demonstrate that development will not have an adverse effect on the integrity of the SPA, prior to determining any planning application. The HRA will need to consider all potential pathways for impact in view of the qualifying features and conservation objectives of the Ouse Washes SPA, including consideration of any disturbances to birds through noise and lighting, along

with details of appropriate mitigation measures to address any adverse effects.

As a result, an additional reason for refusal is recommended as follows:

'Insufficient information has been provided to enable the Local Planning Authority, as Competent Authority, to undertake a Habitats Regulations assessment to demonstrate that development will not have an adverse effect on the integrity of the Ouse Washes Special Protection Area. The proposal is therefore contrary to Policy ENV7 of the East Cambridgeshire Local Plan.'

The application site was a detached building with the permitted use as a hotel, known as The Three Pickerels. It was set back from the highway and accessed from a further road off Bridge Road. Parking for the site was to the front of the building and adjacent to the north-west was the New Bedford River, which formed part of the SSSI and Ramsar site of the Ouse Washes. The site was outside of the defined development envelope but there were a number of residential properties in close proximity.

The application was called in to Planning Committee by Councillor Lorna Dupré. She believed that the marquee was a temporary structure with no permanent detrimental impact on the Grade II listed property and the applicants had worked hard to make close neighbours aware of the events. Additionally, the holding of events was already permitted inside The Three Pickerels and there was nothing to stop people congregating in the gardens. The site was low risk for flooding and people already parked on the road which is for short periods of time, with very limited impacts.

A number of illustrations were displayed at the meeting, including a site location plan, site constraints, the proposal, elevations and photographs of the location.

The main considerations in the determination of this application were;

- Principle of development;
- Residential amenity;
- Visual impact;
- Heritage assets;
- Highways matters; and
- Flood risk.

With regard to the principle of development, the proposal was outside the development boundary and it was considered to have failed to meet the criteria as set out within Policy EMP2 of the Local Plan 2015 in relation to residential amenity.

It was considered that the location of the marquee and shipping containers would not result in overshadowing and overbearing as the structure itself did not sit directly adjacent to the neighbouring residential properties. However, a number of comments had been received that had raised concerns over the disturbance caused by the events held in the marquee and site. In particular it was the noise and light disturbance that had caused issues with the surrounding residents. Environmental Health had also received complaints and advised that at present, with the information provided, they would be unable to support the application. It was considered that due to the close proximity of the site to residential dwellings, there would be significant harm to residential amenity.

The proposed marquee was visible from numerous viewpoints and the greatest view was from the public footpath which ran along the site to the east where the full scale of the structure was at its most visible from this point. Concerns had been raised by the surrounding properties that the containers were out of keeping with the area. The location, scale and form of the marquee was not sympathetic to the existing character of the area and the proposal was not considered to result in any enhancement to the visual appearance of the area. It was considered to create a dominant feature to the rear of the venue and whilst it was understood that this was outdoor space that could be used in conjunction with the pub, it did not mean that structures that had such visual prominence and detriment to the area should be permitted.

The colour and scale of the marquee added to the presence of the structure and the white was very prominent against the traditional materials of the surrounding buildings. It was considered that the colour and materials were not sympathetic to the surroundings and created prominence in the street scene.

Turning next to highways and parking provision, it was noted that the Local Highways Authority had objected to the application on the grounds that the proposal did not incorporate adequate on-site vehicular parking and manoeuvring facilities. There was insufficient off-street parking provided as part of the application and the increase in on-street parking would be to the detriment of highway safety. It was considered that with the restricted information on the capacity of the function space, insufficient detail regarding the existing parking layout and minimal detail on the proposed parking or transport procedures, the application failed to meet policy.

With the site being located in Flood Zone 3, the impact that the proposal would have on flood risk had to be taken into consideration. Additionally the site was located within an area designated as flood storage and benefitted from no flood defences. The information submitted by the agent contained some inaccuracies and was considered insufficient to appropriately assess the flood risk. The Environment Agency was consulted on the application and objected to the submitted Flood Risk Assessment (FRA) on the grounds that it did not comply with the requirements for the site specific flood assessments. Furthermore, the Environment Agency considered that the FRA had failed to consider the risk of residual flooding.

Additionally, due to the site's location in the SSSI, the Local Planning Authority had to carry out a Habitats Regulations Assessment (HRA). However, sufficient information had not been submitted with the application to inform the conclusions of this assessment. It was noted that carrying out a HRA was a requirement of legislation. If this was not prepared then the Council could be opening itself up to be challenged under Judicial Review.

In concluding her presentation, the Planning Officer said that the harm caused by the proposal was considered to outweigh any benefits and therefore the application was recommended for refusal.

At the invitation of the Chairman, Ms Emily Dunnett addressed the Committee in support of the application and made the following comments:

- She ran the pub with her sisters. They had taken it on seven years ago and it was run as a family business;
- Time and money had been spent on renovations, including landscaping, paving and decking, all enhancements;
- Fourteen pubs closed each week in Great Britain and there needed to be a change of model. The Anchor at Sutton was closing;
- They had cleaners, bar staff and a chef who all relied on them;
- They were doing everything for the good of the village and made every effort to appease the neighbouring residents, including providing a mobile number to use for complaints;
- She felt it was unfair of Natural England to tell them the day before the Committee meeting that they needed to provide information;
- Bridge Road had always been used for parking but it could be suggested to patrons that they came by bus or taxi;
- Residents along the road could see no issue with the proposal;
- The pub and marquee were 2 metres higher than the surrounding area and the lower part of the gardens was in Flood Zone 1, and she could not see why this was Flood Zone 3;
- She was happy to accept conditions, as thousands of pounds had been invested in the business.

Councillor C Ambrose Smith remembered the previous planning application and asked whether that proposal was still being taken forward. Ms Dunnett replied that it was, but much would depend on today's outcome.

Ms Dunnett then responded to comments and questions from the Committee.

Councillor Trapp asked if thought had been given to disguising the appearance of the container and Ms Dunnett said it could be made to look more in keeping with its surroundings. She also advised him that 14 events were held between April and October and it was not efficient to take down the marquee between events.

Referring to visual impact, Councillor Jones enquired whether there was room to reduce the size of the marquee, or did the proposal depend on the size. Mr Dunnett replied that it was not something that she had really thought about. At the moment, they could seat 100 people in the marquee and for an evening event, it could be between 110 – 200 people.

In response to a question from Councillor Wilson, Ms Dunnett confirmed that she had looked at better soundproofed marquees as well as the location of the DJ and the band.

Councillor Jones asked if it would be feasible to have a transport management system within the planning process and the Planning Officer replied that with only 13 parking spaces, she did not see how it could work in relation to guests.

Councillor Wilson enquired whether planning permission would be required for a marquee that was only put up 'on odd days'; the Planning Manager advised that it could be erected and taken down but this was about permanency. She also clarified that the container required permission as it was classed as a structure, however, containers did not have PDR's.

Councillor Downey, having noted the Environment Agency's objection, asked for clarification regarding the situation. The Planning Manager referred Members to the Agency's comments on page 5 of the Officer's report in which they recommended refusal. She also said that the Authority was bound to conduct a Habitat Regulations Assessment, hence the additional reason for refusal.

Councillor D Ambrose Smith asked if the applicant could withdraw the application and work with Officers to address the issues raised and then bring it back to Committee. The Planning Manager advised that there was a wealth of work to be done; Members should decide on what was before them today, but the applicant could make a free re-application within 12 months.

Councillor Schumann said he was desperate to find reasons to grant approval and he commended such an entrepreneurial young lady. He believed the options were to defer, approve or refuse the application, but whatever, there were many issues to resolve. Some matters would be very expensive and some would not be resolved, and he felt that there was no choice but to accept the recommendation for refusal; he found it very frustrating.

Councillor Wilson thought the situation with Natural England to be a nonsense, the site did not have any animals living there and he thought there could be things done to address their objection. The Planning Manager

reiterated that it was nothing to do with animals on the site, it was located within a SSSI which was of national importance.

Councillor Stubbs said she felt for the community but she agreed with Councillor Schumann's comments. The facts spoke for themselves and she would be minded to second a proposal for refusal.

Councillor Downey said he was minded to support deferral of the application, as he could understand why there had been no start on the previous application. He was less concerned about parking and would vote against the Officer's recommendation.

Councillor C Ambrose Smith suspected that if the application was repeatedly refused. It would end up as another 'nail in the coffin'. Whilst understanding the objections, she believed that things had to change.

It was proposed by Councillor Schumann and seconded by Councillor Stubbs that the Officer's recommendation for refusal be supported on the basis that recommendations 1, 2 and 3 could not be overcome. Failure could put the Council at risk of judicial review.

When put to the vote, the motion was declared lost, there being 4 votes for and 7 votes against.

Councillor Downey asked for how long the application could be deferred and the Planning Manager said that as this was not a simple case, there should be a timeframe of four months.

It was duly proposed by Councillor Downey and seconded by Councillor Wilson that consideration be deferred for four months.

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

It was resolved:

That consideration of planning application reference 19/00897/FUL be DEFERRED for 4 months to allow the applicant time to overcome the reasons for refusal as set out in the Committee report and the Committee Update.

81. 19/01373/FUL – LAND WEST OF SAUNDERS PIECE, ELY ROAD, LITTLE THETFORD

Andrew Phillips, Planning Team Leader, presented a report (reference U149, previously circulated) which sought permission for the change of use of land to a mix of Gypsy and Traveller residential and equestrian, with the siting of a single pitch to provide six caravans of which no more than two could be mobile homes, and the erection of an amenity building and stable block. The proposal included a new access located off a layby on the A10.

Members were asked to note the Update Document which set out an objection received from Stretham Parish Council after the publication of the Committee Agenda:

‘Stretham Parish Council would like to object to the planning application on the following grounds:

- *The site will cause traffic issues to and from the site;*
- *It is an unsustainable location in terms of transport and footpaths;*
- *Overdevelopment of the countryside;*
- *It will interrupt an important view of a Grade Listed Building, Ely cathedral.*

Policy HOU9 Gypsies, Travellers and Travelling Showpeople sites should have been included in paragraph 6.1’

The site, which was located in Flood Zone 1, comprised a field of scrub land, accessed off a layby on the A10 between Stretham and Little Thetford. The ground level of the site dropped significantly from the level of the adjacent highway and layby and was bounded along the boundary by a fence and gate. There was currently a derelict caravan situated on the site. Saunders Piece Camping & Touring Caravan site was located to the east of the application site and it was also accessed off the same layby on the A10.

It was noted that the application had been called in to Committee by Councillor Lisa Stubbs as she believed the application would benefit from a wider debate and discussion at Planning Committee.

A number of illustrations were displayed at the meeting, including a location map, aerial view, access and layout of the proposal, and elevations.

The main considerations in the determination of this application were:

- Principle of development;
- Highway safety;
- Character and appearance of the countryside, the setting of settlements, and the historic and natural environment; and
- Residential amenity.

The Planning Team Leader stated that the proposed occupiers had been acknowledged as having Traveller status. Although the Authority did not have an extensive waiting list for Council Traveller sites, it did have a couple of applications for pitches. The very low known need for additional pitches meant that ‘need’ was granted very little weight. However, there was likely to be ‘unknown need’ and this should be afforded weight as it could not be demonstrated that there was no need. With regard to sustainability, the proposed site was in a rural location but it was no more remote than other

nomadic communities. It was considered that the proposal complied with Policy HOU9 of the Local Plan.

The Local Highway Authority had no objections to the proposal, subject to conditions ensuring the access and gates were located as per the submitted plans. The highway safety impacts were considered acceptable and the scheme would provide sufficient space for parking.

It was noted that the site was mainly visible from Broad Baulk, nearby Public Rights of Way, the A10 and adjacent layby. Being located adjacent to the existing Camping & Touring Caravan site, the presence of caravans in this area of the countryside was already an established feature. The land level, fencing and trees of the site were comparable to the adjacent site and the visual prominence was therefore likely to be low. It was considered that the proposal would not harm any heritage asset, including Ely Cathedral, due to its modest scale and significant separation distance.

The ECDC Traveller Liaison Officer had said that there could often be tension between English and Irish Travellers. However, the Planning Team Leader reminded the Committee that cultural or racial tensions were not a material planning consideration.

With regard to other matters, it was noted that surface and foul water drainage could be secured by condition, as could contamination investigation. The change of use to paddock and the provision of stables was considered to be an acceptable countryside use causing no harm.

The Planning Team Leader concluded his presentation by speaking of the planning balance. The only identified harm that could not be mitigated against was the site's remote location. However, given the locations of planning permissions for other sites in the locality and existing sites, the application site would be a comparable distance to local services and facilities.

It was accepted that there was probably a need for further Gypsy and Traveller pitches. It was considered that the benefit of one pitch providing up to six caravans was not outweighed by the modest level of harm caused by the proposal. The application was therefore recommended for approval.

At the invitation of the Chairman, Ms Beverley Carpenter, Cambridgeshire Traveller Support Network, and Mr Jimmy O'Brien, applicant addressed the Committee and made the following points:

Ms Carpenter:

- She commended the Officer for highlighting the recognition that there were sometimes personal considerations;
- The tensions between communities had been addressed and it was unlikely there would be an imbalance;

- Mr O'Brien had traded at local fairs for 17 years and she had known him for 10 years. He contributed to an harmonious atmosphere and he was very well respected;
- The Parish Council had concerns regarding traffic safety, but there were plans to improve the road and the comments about cyclists etc were irrelevant;
- This was a good site with high hedges and it was planned to be low impact with environmental improvements;
- Mr O'Brien would say a few words about specific needs, because there were many unseen and stress was a significant one;
- He had four children, three of whom were grown up.

Mr O'Brien:

- He wanted a place for his family to go to, somewhere where he could provide a home for his children;
- He had heart problems and was diabetic and his mother in law was about to have an operation.

Councillor C Ambrose Smith asked Mr O'Brien if the site would be his permanent base, to which he replied 'yes'. Mr Carpenter added that Mr O'Brien would travel for work but he would need a secure base.

The Chairman reiterated that Members were considering the application on its planning merits; health matters were not a material consideration.

At the invitation of the Chairman, Councillor Graham James, Little Thetford Parish Council, addressed the Committee and made the following remarks:

- Several villagers had approached him with their concerns but they wanted to remain anonymous as people had been threatened the last time they raised concerns;
- The issues were sustainability, environmental impact and need and the report mentioned 'potential needs';
- It appeared to the Parish Council that current provision had been identified nearby;
- They were disappointed by the County Council's response in relation to sustainability and this road was used by heavy goods vehicles and they were concerned about people using the access points;

- There were only four designated parking spaces, but the site was for two mobile homes and four towing caravans. There was no space on site if they were keeping land for grazing;
- There was no crossing point and the applicant would have to rely on their own transport;
- In connection with the environment, the site could impact on the environment due to lighting and the application failed to take into consideration lighting for safe access and egress at the site;
- The works were to be completed based on affordability, but there were no time frames.

Councillor Trapp wondered whether the access from the site to the A10 also applied to the Saunders Piece site. Councillor James replied that it did, but they did not cross the A10 and use the roundabout to turn around and this did not seem to have been taken into account by Highways.

The Chairman said that there seemed to be some confusion regarding the location of the site, and at his request, the Democratic Services Officer read out the objection from Stretham Parish Council.

Councillor Schumann asked the Planning Team Leader if there was anything about space in the Supplementary Planning Document and the size of the site, as he had noticed that some of the comments related to overdevelopment. The Planning Team Leader replied that the site was 7,800 square metres.

Councillor Trapp believed there was a limited need for further sites and Councillor Jones asked if the applicant would be in breach if more than the permitted numbers of mobile homes were parked on the site; he also asked if there were any Permitted Development Rights. The Planning Team Leader replied that there would be no breach because the application had planned for expected numbers and the Authority was limiting the number of mobile homes on the site. There were no Permitted Development Rights;

Councillor Stubbs said that as a local Member, a number of residents had come to her about the scheme. She was approaching this application with an open mind and had listened to what Councillor James had to say as the Parish Council was a consultee. She proposed that the Officer's recommendation for approval be rejected on the grounds of sustainability, light pollution, impact on the character of the open countryside, very damaging visual impact, and no Tree Protection Orders.

The motion was seconded by the Chairman and when put to the vote, declared lost, there being 2 votes for and 9 against.

Councillor Trapp considered the Parish Council objections to be very light; the Cathedral was not visible during the Member site visit today, there was already some development in the locality and there was already a caravan site there.

Councillor Jones concurred, adding that he did not believe the proposal would impact on the environment; the remote location would be more beneficial to the community.

Councillors Downey and Wilson expressed their support for approval of the application. Councillor Wilson said that if Highways considered there to be no traffic issues, then there were none. The location was unsustainable but this did not apply to Travellers because they were subject to different rules and policies in the Local Plan. The Council should be supporting people wanting to live a different lifestyle. This seemed to be a good location and he believed that if the application was truly objected to, the public gallery would be full, and it was not. The family would benefit from living in the District.

Councillor D Ambrose Smith added his support for the application, saying that it would be positive for the family. They could integrate into the community, and education could be provided for the children.

Councillor Austen informed the Committee that there was another Traveller site further up along the A10, which was very tidy and never had any trouble.

Councillor Schumann expressed his support, saying that the area was hardly open countryside. One might see horses and there was nothing more sustainable than that. The nature of Travellers was such that they came and went, and he believed it would be better for them to be near a main trunk road.

Councillor C Ambrose Smith said she had always felt that everyone needed a home to come home to, with access to education and healthcare.

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

When put to the vote, the motion was declared carried, there being 9 votes for and 2 votes against. Whereupon.

It was resolved:

That planning application reference 19/01373/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

Councillor Stubbs left the meeting at 6.50pm.

82. 19/01421/OUT – MOBILE HOME AT 1A CHAPEL LANE, SOHAM

Dan Smith, Planning Consultant, presented a report (reference U150, previously circulated) which sought outline permission for the erection of a chalet bungalow, garaging access and associated works. Approval was also sought for the detailed matters of access and scale, with other detailed matters of appearance, layout and landscaping reserved for future consideration.

The current application was for the same development as was recently refused by the LPA under reference 19/00404/OUT, on the grounds that the site was within Flood Zone 3 and was unsustainably located.

The application site was located at the corner of Chapel Lane and Great Fen Road. The land formed part of the wider site at 1A Chapel Lane and was enclosed by mature boundary hedging. The mobile home currently stationed on the land was granted a personal planning permission in 2013. There were a cluster of buildings in the immediate area, including a chapel building on the opposite corner of Chapel Lane.

The site was located in Flood Zone 3 and was therefore considered to be at a high risk of flooding. It was in the countryside, over 2.5 miles outside of the nearest development envelopes of Soham and Prickwillow.

A number of illustrations were displayed at the meeting including a map, aerial view, indicative layout and indicative elevations.

The main considerations in the determination of this application were as follows:

- Principle of development and 5 year land supply;
- Flood risk and drainage; and
- Sustainability of the site.

Members were reminded that the Council could not currently demonstrate a 5 year supply of available housing land. In such a situation, the NPPF required that applications for housing be approved unless the application of specific policies within the NPPF provided a clear reason for refusing the application, or the adverse impacts of approving the application would significantly and demonstrably outweigh the benefits derived from the development.

The proposed development would not comply with Policy GROWTH2 which sought to direct new dwellings to the most sustainable locations within the District and by virtue of its location within Flood Zone 3, it was unacceptable in principle.

With regard to flood risk and drainage, it was noted that the proposal failed both the Sequential and Exceptions Tests. It was considered that there were a number of other reasonably available sites for housing within the locality that were at a lower probability of flooding. Therefore the application had failed to demonstrate that the proposed dwelling was necessary in this location. The application also did not present any arguments as to the wider community sustainability benefits and it was not considered that any substantive benefits to sustainability would result from the development.

The Planning Consultant said it was important to note that this also meant that the application was contrary to specific policies within the NPPF relating to flood risk which provide a clear reason for refusal. As a result the

'tilted balance' regarding the 5 year land for housing supply situation is not engaged.

In terms of the location of the site, it was over 4 kilometres from the development envelope of Soham. There was no public transport serving the site and Great Fen Road was an unlit, national speed limit road with no footpath or cyclepath links. Access to the services and facilities provided in the surrounding area including public transport links further afield were therefore not considered to be safely or conveniently accessible by sustainable modes of transport.

It is considered that the occupants of the dwelling would therefore be almost entirely reliant on private motor vehicle for access to basic services, facilities, employment opportunities and socialising. This would not be sustainable either in respect of the environmental dimension of sustainable development or the social dimension. The site is therefore considered to be unsustainable for a new permanent dwelling.

Speaking of visual amenity, the Planning Consultant said that the scale of the proposed dwelling was considered acceptable. While there were elements of the appearance of the dwelling which were not in keeping with the prevailing character of dwellings in the area, these were only indicative at this stage and the appearance of the dwelling would be reserved for future consideration.

In concluding his presentation, the Planning Consultant said the site was at risk of flooding, it was contrary to the NPPF and the 'tilted balance' was not engaged. There were only limited benefits derived from a single dwelling and even if the 'tilted balance' applied, the harm would outweigh the benefits of the scheme. 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:

- The application site was located in a cluster of dwellings and would be a continuation of the linear development;
- It was well bounded by hedging;
- Other applications in the locality had been approved;
- This refusal focussed on sustainable development and flood risk, there were no issues regarding scale;
- Great Fen Road and Hasse Road had always been known as Soham Fen and this proposal would reinforce that community;
- Not everyone wished to live in an urban environment. This area had a bus service for the schools and was served by delivery drivers and the postal service;

- The Environmental Agency had requested further details regarding flood risk and did not have any objections;
- The Council was unable to demonstrate a five year supply of land for housing and therefore the presumption should be in favour of sustainable development;
- The application would have no adverse impact.

Councillor Jones wished to know why the Town Council opposed the application and Mr Fleet replied that it was the same stance as with the previous application.

The Chairman commented that the County Council had to pay enormous amounts to transport children to and from school as people built houses in unsustainable locations.

Councillor C Ambrose Smith wondered if the issue of flood risk could be overcome by raising the floor levels; Mr Fleet said that mitigation measures had already been suggested.

The Planning Consultant reminded Members that the Environment Agency did not object to one aspect of the Exceptions Test, but had made it clear that it was for the Local Planning Authority to carry out the Sequential Test.

Councillor Jones, being mindful of the Town Council's objections and the Case Officer's comments regarding flood risk, said that this application should be given serious consideration. The NPPF was there to provide quality housing and Members should take note of it

The Chairman referred to the recent flood problems elsewhere in the country and thought that the Officer's recommendation should be supported. He had concerns about why the application had been called in and reiterated that there should be good planning reasons, as each call in cost approximately £1,000. He believed the site to be unsustainable, and in the light of this, he proposed that the Officer's recommendation for refusal be supported.

Councillor Jones seconded the motion and when put to the vote, it was declared carried, there being 7 votes for, 2 votes against and 1 abstention.

It was resolved:

That planning application reference 19/01421/OUT be REFUSED for the reasons given in the Officer's report.

Councillor Schumann left the meeting at 7.12pm.

83. 19/01470/OUT – SITE SOUTH OF 60 LONGMEADOW, LODE, CB25 9HA

Barbara Greengrass, Planning Team Leader, presented a report (reference U151, previously circulated) which sought consent for the erection of up to four dwellings with a new access from the public highway of Longmeadow. The only matter to be considered at this stage was access; all other matters would be dealt with at the Reserved Matters stage.

Members were asked to note the Update Document, which set out the following details:

Amendment to Condition 3 of the Officer's report. This should state 2 years instead of 3;

The scale on the drawing 'Access Assessment' had been amended 1:250. Therefore the access width has changed to a minimum width of 5 metres for a minimum length of 10 metres;

As a result, an amendment is required to the approved plans list and Condition 7, which should now read as '*The access shall be a minimum width of 5 metres, for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter retained in perpetuity.*'

The site was adjoined to the defined settlement boundary of Longmeadow and currently formed part of an open field with well established hedgerows on the southern and northern boundaries as well as a few trees on the front boundary. Beyond the rear of the site there was a further mature hedge which defined the boundary of the larger field. Adjacent to the site on the northern boundary was a detached residential dwelling, and to the south was an agricultural field.

The application had been called in to Planning Committee by Councillor Charlotte Cane as the site was open countryside and was not considered for development in the 2015 Local Plan. Additionally, the site was of significant archaeology and the grassland, species rich hedge and trees were important habitats on the site.

A number of illustrations were displayed at the meeting, including a location map, aerial view, the proposal and indicative layout, and photographs of the streetscene.

The main considerations in the determination of this application were as follows:

- Principle of Development;
- Residential Amenity;
- Visual Impact; and
- Highway Matters.

With regard to the principle of development, the application site was located adjacent to the settlement boundary for Longmeadow. It would be well linked to the hamlet and whilst Longmeadow itself had no facilities, there were footpath connections to Swaffham Bulbeck and Lode. Additionally the proposal would contribute up to four dwelling to the local housing supply and would be beneficial in the short term to the local economy through construction stage.

In terms of residential amenity, layout, scale and appearance was not for consideration at this stage, however, the indicative layout indicated acceptable plot sizes for up to four dwellings. Any proposed dwellings would need to have a sympathetic relationship with surrounding properties. In particular the proposal should be appropriately designed to ensure no overlooking, overbearing or overshadowing occurs to No.60 Longmeadow., as this was the closest neighbour to the site.

Turning next to the issue of visual impact, the Planning Team Leader said that the well-established boundary treatment to the south formed the natural end of the settlement. Development on this site was not considered to be out of character as it would form a natural end to the built form of the settlement, as the well-established boundary treatments formed a natural definitive line to the open countryside beyond. Matters of layout, appearance and scale would be considered at the Reserved Matters stage, but any proposal submitted should respect the existing linear development pattern of Longmeadow and the characteristics of surrounding dwellings.

It was noted that the Local Highways Authority had no objections to the scheme. The proposal would provide sufficient visibility splays and access width, to achieve safe and convenient access to the highway. Furthermore it would provide an extension to the existing pedestrian footpath, connecting the access of the site to the existing footpath to the north. The indicative layout demonstrated sufficient parking provision could be achieved for two vehicles per dwelling.

The Planning Team Leader concluded the presentation by saying that the principle of development at the site was considered to be acceptable. The proposal is not considered to create significantly harmful impacts to the appearance or character of the area and the application was therefore recommended for approval.

At the invitation of the Chairman, Mrs Diana Dean addressed the Committee and made the following comments:

- She felt very strongly about the application. She had an emotional attachment, her family having lived and farmed in the area for generations;
- Granting approval would set a precedent for development of the frontage and this was open rural land;

- There were currently three outstanding applications for a total of 13 dwellings and they should be considered in the overall context and impact on a rural hamlet;
- ECDC did not have a current Local Plan, hence the free for all which was not the fault of the residents;
- The site was outside the development framework, it was speculative and opportunist and was not sustainable;
- There were very few employment opportunities in the area and the local transport was very limited;
- New housing would not enhance the environment or benefit the community;
- The harm would outweigh the benefits.

Councillor Jones asked Mrs Dean about her worries regarding this development and the other applications being referred to; she replied that there was another application along the road for six houses, and yet another for the demolition of one property to be replaced with four dwellings.

Councillor C Ambrose Smith remarked that Mrs Dean managed to sustain herself in an 'unsustainable' location and Mrs Dean said that as she farmed, she could not move her land.

At the invitation of the Chairman, Mr Robert Preston, agent, addressed the Committee and made the following points:

- Cambridgeshire County Council owned the site and the development would meet needs;
- The funds generated would go towards helping local people through public services;
- There had been public engagement and the proposed scheme had been assessed as being acceptable;
- It would deliver significant benefits for the housing supply;
- The trees would be retained and there would be a landscaping scheme;
- The development would be connected to Lode by a footpath therefore residents would not be wholly reliant on cars. It would be well contained and have no significant visual impact as the position of the windows could be dealt with at reserved matters to ensure no impact on residential amenity;
- A safe access could be provided and Members should assess the application before them today.

Mr Preston responded to a number of questions from Members. He confirmed that only a part of the field was to be developed and the access to the agriculture field would be retained; the trees at the boundary would be retained, and roads would be built to an adoptable standard.

Councillor Jones said he was mindful of Mrs Dean's concerns and whilst sympathising with her, he did not think the proposal would harm the locality.

Councillor Trapp said he knew the area well and it was a feature of Longmeadow having houses on one side of the road, a gap, and then houses on the other side. It was a very small hamlet and there were other places that could be developed. He was not sure about supporting the recommendation for approval as the area was open countryside.

Councillor Downey was generally in favour of the application and thought that four more houses would not particularly damage the area. He believed that if Councillor Schumann was still present at the meeting, he would be cautioning Members that to refuse the application could leave the Council open to challenge.

It was duly proposed by Councillor Downey and seconded by Councillor Wilson that the Officer's recommendation for approval be supported.

When put to the vote, the motion was declared carried, there being 7 votes for, and 2 against.

It was resolved:

That planning application reference 19/01470/OUT be APPROVED subject to the recommended conditions as set out in the Officer's report and the amendment to Conditions 1, 3, and 7 as set out in the Committee Update.

84. PLANNING PERFORMANCE REPORT – NOVEMBER 2019

The Planning Manager presented a report (reference U152, previously circulated) which summarised the planning performance figures for November 2019.

It was noted that the Department had received a total of 184 applications during November 2019, which was a 5% decrease on November 2018 (194) and a 19% decrease from October 2019 (226).

Richard Fitzjohn, Senior Planning Officer had left the Authority on 7th January 2020.

The Planning Manager highlighted that all of the six appeals in November 2019 had been dismissed.

The direct action in respect of Redmere had gone reasonably well and the Authority had received payment in full of the invoice.

It was resolved:

That the Planning Performance Report for November 2019 be noted.

The meeting closed at 7.38pm.