



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday, 5th February 2020 at 2:00pm.

PRESENT

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr David Ambrose Smith (substitute for Cllr Lavinia Edwards)
Cllr Sue Austen
Cllr David Brown
Cllr Matt Downey
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
Gemma Driver – Planning Officer
Barbara Greengrass – Planning Team Leader
Janis Murfet – Democratic Services Officer
Dan Smith – Planning Consultant
Angela Tyrrell – Senior Legal Assistant
Russell Wignall – Legal Assistant

IN ATTENDANCE

18 members of the public

85. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillor Lavinia Edwards.

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

86. DECLARATIONS OF INTEREST

No declarations of interest were made.

87. MINUTES

It was resolved:

That the Minutes of the meeting held on 8th January 2020 be confirmed as a correct record and signed by the Chairman.

88. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- Members of the public were welcome to use electronic devices to record or film the meeting providing they did not cause any disruption. Members of the Committee might be using electronic devices in place of paper copies of the agenda, but they would be expected to give full attention to the proceedings;
- There was no access to the corridor adjacent to the Council Chamber while building works were being undertaken. If anyone needed to use the toilets, a member of staff would direct them to the nearest available ones;
- Agenda Item No. 9 (Planning Customer Satisfaction Survey – 6 month feedback) was to the credit of Officers and showed how highly regarded they were;
- Gemma Driver was congratulated on her promotion to Planning Officer;
- Members were reminded to use the opportunity to ask questions of speakers while they were seated at the public speaking table.

89. 19/00331/OUM – LAND OFF SCOTLAND END, CHIPPENHAM

Dan Smith, Planning Consultant, presented a report (reference U158, previously circulated) which sought outline planning permission for residential development of the site for up to 10 dwellings. The application also detailed access arrangements at this stage which was to access the site via the existing cul de sacs on Scotland End. The other detailed matters of the appearance, layout and scale of the dwellings and the landscaping of the site were reserved for future consideration. The layout of the housing shown on the drawing No. 01B should therefore be considered indicative only.

The application had been amended to show amended access into and within the site and supplementary drainage information had also been provided.

The Update Document stated that in addition to securing affordable housing and waste bin provision, the S106 will secure a financial contribution

to the Council to cover the ongoing maintenance of a SuDs drainage scheme in the event that its maintenance is ultimately vested with the District Council.

The site was located adjacent to but outside of the development envelope of Chippenham, and outside of but close to the Conservation Area. Two buildings on the High Street (Tharp Arms and 47 High Street) and three on New Road (nos. 7, 41 and 45) were Grade II listed.

The site was in an area of just over 0.5 hectares of improved grass land, which was currently in use as paddock land. It was located south east of and immediately adjacent to the residential development of Scotland End. To the south west there were buildings on the High Street and a public footpath (No. 49/4) ran to the north east. The site was approximately a third of the wider paddock and it extended to the rear of dwellings on New Street to the south east.

It was noted that Councillor Julia Huffer had called the application in to Planning Committee on the grounds that there was considerable local concern regarding the proposed development.

A number of illustrations were displayed at the meeting, including a site location map, an aerial photograph, an indicative layout of the proposal, and photographs of the junction at the High Street with Scotland End.

The main considerations in the determination of this application were:

- Principle of development and 5 year supply;
- Visual impact;
- Residential amenity;
- Highway safety;
- Ecology and trees; and
- Drainage.

With regard to the principle of development, the scheme would not normally be considered acceptable in this location as the application site was outside the defined development envelope of Chippenham in the countryside. However, the Council could not currently demonstrate a 5 year supply of available housing land and in such a situation, the National Planning Policy Framework (NPPF) required that, notwithstanding Local Plan policy restrictions, 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 Planning Consultant stated that while the paddock was private land which was not publically accessible, it made a contribution to the

character of the area and was visible in some public views, primarily from the public footpath and less prominently in glimpsed views between some buildings on the High Street and New Street.

The loss of this part of the paddock would result in some harm to the visual amenity of the area as the paddock contributed to the character of the area on the edge of Chippenham, despite the site being surrounded by residential development on all sides.

It was not considered that the proposed development would impact on any wider landscape views and in public views would read as an extension to Scotland End. The development was therefore considered to result in some limited harm to the visual amenity of the area which was contrary to the local plan policies which addressed design and character.

Members had been provided with a letter on behalf of the owners of the remainder of the paddock stating that there was no commitment to retaining the remainder of the paddock as open. This was in response to the Officer's statement within paragraph 7.6.3 of his report that the limited harm caused was mitigated by the retention of the majority of the paddock as open land. The Planning Consultant said his statement was intended to reflect the existing and permitted situation that it would be open, rather than to provide any guarantee that it would remain so indefinitely. Any application for the development of that land would be assessed on its merits.

Layout, scale and design of the development was reserved. However it was considered that the indicative block plan demonstrated that up to 10 dwellings could be accommodated on site and it would be possible to provide adequate separation distance between the new and the existing dwellings to ensure that the new development did not adversely impact on the residential amenity of existing residents.

Members noted that the site would be accessed via two points on Scotland End which were existing cul de sacs. The Local Highways Authority (LHA) was content that the accesses were adequate and capable of servicing up to 10 dwellings. The Parish Council and local people had expressed significant concerns regarding the junction with Scotland End and the High Street. However the LHA had confirmed on several occasions that it was safe, had adequate visibility splays for the speed and type of the road and could accommodate in excess of the additional development proposed in the current application. It had explicitly stated that it could not substantiate a refusal of this outline on the basis of access and highway safety.

The LHA had noted that a turning head would be required at the end of the northern spur into the site, but this was a matter which would be addressed at the reserved matters stage. On that basis the proposed development was considered to be acceptable in terms of its impact on highway safety.

The site was improved grassland which currently functioned as paddock with limited trees and shrubs around the boundary. Trees at access points would be removed but this was not considered to cause harm to

amenity and they could be replaced by condition. The Wildlife Trust was content that the application would not cause harm to protected species; a scheme of enhanced biodiversity would be conditioned.

The site was located in Flood Zone 1 and infiltration testing had been carried out to demonstrate the drainage potential. No groundwater was encountered during testing and the Local Lead Flood Authority was content that the scheme could provide adequate drainage based on the final layout. However, shared swales would not be appropriate unless located in public areas.

In connection with other matters, it was noted that the applicant had agreed to provide 30% affordable housing, which was in line with the most up to date guidance. Land contamination and energy efficiency would be secured by condition and the layout for parking was not detailed at this stage, but it was considered that two spaces per dwelling could be accommodated. It was considered that the development would have a neutral impact on the Conservation Area and listed buildings.

The Planning Consultant concluded his presentation by saying that the adverse impact of harm caused to the visual amenity of the area would not significantly and demonstrably outweigh the benefits of the scheme. In the absence of a 5 year supply of land for housing, the scheme should be approved on the tilted balance.

At the invitation of the Chairman, Mrs Helen Palmer addressed the Committee and made the following points:

- Paragraph 2.1 of the Officer's report said outline permission was sought for up to 10 dwellings;
- Paragraph 7.2.1 stated that the development would not normally be considered acceptable in principle in this location;
- Policy GROWTH 2 said that only affordable housing should be allowed outside of defined development envelopes where those schemes had no significant adverse impact on the character of the countryside or other Local Plan Policies;
- The application did not accord with Policy HOU 3;
- Chippenham did not have a good range of facilities or services;
- Between 2013 and 2031, 3 dwellings were required in Chippenham and yet 8 had been built since 2014;
- This application was not infill, it was classed as a major development;
- The proposal was considered to conflict with Policies ENV1, ENV2 and GROWTH2;

- She believed the affordable housing had been added to the application at a late stage to push it through.

Councillor Brown was aware of the pub in the village but asked if it had a shop or post office; Mrs Palmer replied that it did not.

Councillor Schumann noted that Mrs Palmer's comments were linked to the Local Plan and he reminded her that in the absence of a 5 year supply of housing land, the housing policies in the Plan could not be given weight. Members were not happy about this position, but it was national policy. The Council had been challenged before on this and lost and therefore any decision taken was in that context.

Councillor C Ambrose Smith asked whether Mrs Palmer would prefer, or not, to have social housing on the site. Mrs Palmer replied that it was not about the affordable housing; it had not been mentioned until the end of the Officer's report, as thought it had been 'shoe-horned' in and residents were unhappy about this.

At the invitation of the Chairman, Mr Keith Lomas addressed the Committee and made the following comments:

- He was Chairman of In Spe Spero. The Company comprised the four families who owned the remaining $\frac{2}{3}$ of the paddock;
- He had only seen the planning report when it was made public and he had copied the applicant and the Parish Council in to the letter that had been referred to earlier;
- He wished to clarify that he had never said the remaining paddock would not be developed.

The Chairman reiterated that the Committee would only consider the facts before them today and would not surmise on what might happen in the years to come.

Councillor Jones asked if it was intended to develop the remainder of the paddock and Mr Lomas said it would be given consideration.

At the invitation of the Chairman, Councillor Fiona Maxwell addressed the Committee on behalf of Chippenham Parish Council and made the following points:

- The Parish Council objected to this application;
- The LHA was not always right and the junction at Scotland End to the High Street was very busy;
- If this application was approved, it would increase the traffic at peak times;

- Permission had previously been refused by the Planning Inspector for two houses, so it would be counterintuitive to grant permission for ten;
- There were large developments in neighbouring villages, with resulting congestion;
- There was a high volume of HGV and LGV traffic;
- Vehicles did not observe the speed limit, with some having been recorded coming through the village at 70 mph. At peak times there were some 750 vehicles per day breaking the speed limit;
- The development would result in the loss of green space, the heart and lungs and an important part of the character of the village. Chippenham wanted to retain its open space and character and the proposed buildings would change its rural quality of life;
- The development would have a significant impact on the village but a very small effect on the District's housing supply.

Councillor Brown asked how many houses there were in Chippenham; Councillor Maxwell confirmed about 250 houses.

Councillor C Ambrose Smith noted Councillor Maxwell's reference to the lack of amenities and felt there was an implication that the village was absolutely remote; she said that in this day and age groceries could be delivered.

Councillor Jones wished to know when the traffic data was collected but Councillor Maxwell said she would have to find out.

Councillor Trapp asked if any measures had been taken to reduce the 'rat run' and whether the Parish Council had thought about preventative measures. Councillor Maxwell said that the LHA would not acknowledge that there was a problem and the Parish Council had found traffic calming to be unaffordable. The Chairman suggested that the LHA Improvement Grant could be considered, but Councillor Maxwell said that the Parish Council was aware of it.

It was noted that Councillor Julia Huffer, a Ward Member for Fordham & Isleham, was unable to attend the meeting, but had sent comments. With the permission of the Chairman, the Democratic Services Officer read out the following prepared statement:

'Good afternoon Chair and members of the Committee. Once again I find myself coming to the defence of a small village in my Ward with virtually no infrastructure to support yet more development with no shop or school, only a Public House to serve the community.

This development, as you will have seen for yourself, would occupy the green lung of this village, putting houses here will destroy the green space at the heart of the community forever.

Access would be through Scotland End, a quiet residential close that would have to suffer all the construction traffic and the subsequent additional residential traffic of potentially 40 – 60 car movements a day ruining the quiet enjoyment of the current residents' properties. Exiting Scotland End can be challenging at any time with traffic entering the village from Fordham and Isleham often well in excess of the 30 mph that it should be doing, as the traffic camera located on the High Street has demonstrated. I believe one vehicle was recorded travelling in excess of 80 mph. This is the exception I understand, but it is a fact the cars and lorries use this village as a short cut through to Newmarket and the A11.

Please hear the voices of the local community who understand that this development is simply in the wrong place and its approval would harm the fabric of this quiet community.'

In response to questions from the Chairman, the Planning Consultant confirmed that there would be a S106 Agreement in respect of the 30% affordable housing even if the scheme came in at 9 dwellings; a high quality comprehensive scheme to replace the removed trees would be expected.

Councillor Trapp commented that the location might be the green lung of the village, but there was green land all around the site. The Planning Consultant said it was all open agricultural land and he had reached his conclusion based on the level of harm.

Speaking of the LHA's comments, Councillor Schumann said that while there were no recorded accidents at the location, it did not mean there had not been any because they were dealt with as civil matters. The data from the speed camera proved that the junction was incredibly dangerous. Highways got things wrong and he had no faith in their ability to assess the risk. There was evidence that it was a 'rat run' and he thought this was not the right place for the development because people would be taking their lives in their hands each time they came out of the junction. As a local Member, he was not overplaying the danger and he believed the application should be refused on highway safety grounds.

Councillor Trapp asked where the 30mph sign started. Councillor Maxwell advised that it was close to the village between the B1104 and the B1085. This was also indicated by the Planning Consultant on the location plan.

Councillor Brown agreed with Councillor Schumann, adding that he did not like the set up and access through the estate. He too considered it was about highway safety and the number of cars coming out of the estate.

Councillor Wilson reminded Members that they had to rely on the LHA, and if they said there was no problem, then the Council could not object on highways grounds and an Inspector was likely to agree. Unless they had some extremely important information, they had to accept the LHA's comments, and besides which, people broke the speed limit everywhere. He was therefore minded to accept the Officer's recommendation.

Councillor Downey concurred generally with Councillor Wilson's comments, saying that if a problem existed, it needed to be sorted. He thought Members should go back to the core of the argument, namely 10 more houses with 3 more affordable dwellings that would help the community. The paddock was surrounded by residential properties and he would support the recommendation for approval.

Councillor Stubbs said she had listened to the Parish Council and she had also quizzed the Case Officer regarding the highways report. She was reassured that the LHA had done a very thorough job.

Councillor Jones noted that there was a general consensus that traffic posed a problem and the Planning Manager reminded him that the developer could not be held responsible for the existing problem. The Planning Consultant interjected to say that the County Council had been provided with the data from the speed survey and had examined it. They looked at the 85th percentile speeds and had concluded that the visibility at the junction was sufficient and the application should not be refused.

Councillor Austen wished to know if the County Council Officers had come out to look at the junction or just reviewed the survey data. The Planning Consultant replied that he did not want to mislead anyone, but he thought they may have gone out although he could not guarantee that.

Councillor Jones commented that it was a natural infill point that would not affect visual amenity and the housing provision outweighed any harm.

It was duly proposed by Councillor Schumann that the Officer's recommendation for approval be rejected and that the application be refused for highway safety grounds on the information provided.

The motion was seconded by Councillor Austen, and when put to the vote, it was declared lost, there being 3 votes for and 8 votes against.

It was proposed by the Chairman 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 8 votes for, 2 votes against and 1 abstention. Whereupon,

It was resolved:

That planning application reference 19/00331/OUM be APPROVED subject to the signing of the S106 Agreement and recommended conditions as set out in the Officer's report with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission.

90. 19/01054/RMM – LAND REAR OF 98 TO 118 MILDENHALL ROAD, FORDHAM

Barbara Greengrass, Planning Team Leader, presented a report (reference U159, previously circulated) which was a reserved matters application following the grant of outline planning permission on appeal, for the erection of up to 100 dwellings, with public open space, landscaping and SuDs with access determined. This application considered the remaining reserved matters of appearance, landscaping, layout and scale, and proposed 100 houses with public open space, landscaped buffer and attenuation basin.

The site was located outside the development boundary of Fordham on the southern edge of the village, bounded by residential development to the east and north and by two business premises to the north and west. The site itself was open agricultural land and was bounded along its southern boundary by a length of fragmented hedgerow. It was visible from Mildenhall Road where a large gap in the frontage development would form the new site access.

It was noted that in accordance with the Constitution, the application was brought to Committee at the request of the Chairman, as the outline application was determined by Planning Committee.

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

The main considerations in the determination of this application were:

- Visual impact and layout;
- Housing mix and density;
- Public open space;
- Access and parking;
- Noise and residential amenity; and
- Foul and surface water drainage.

The visual impact of developing the site was accepted in principle at the outline stage. In allowing the appeal, the Inspector accepted that the proposal to develop the site for up to 100 houses would result in no more than a slight adverse impact on the users of the Public Right of Way to the south when the proposed landscaping matured.

The landscaped buffer would be retained and noise attenuation measures put in place to alleviate the noise emanating from the adjoining engineering and haulage businesses. A landscaped strip would also be provided along the western boundary to provide a soft edge and screening to

the 3 metre high acoustic fencing and the site entrance would provide a soft landscaped entrance feature.

The overall scale, massing, height, site coverage and detailing of the built form proposed had been carefully considered so as to respond positively to the constraints of the site, whilst minimising the impacts on existing amenities of the neighbouring properties and complying with the Design Guide SPD.

Members were reminded that the density of the proposed scheme had been accepted within the outline application in approving up to 100 houses. The Planning Team Leader drew the Committee's attention to the table which set out details of the housing mix, saying that the affordable units would be sited as groups to the west, north and east of the site. The mix of market dwellings was considered acceptable and was in accord with Policies HOU1, HOU 2 of the Local Plan and Policy 2 of the Neighbourhood Plan, as it respected the local area.

With regard to Policy HOU 2, the requirement to provide for self-build plots on developments of 100 dwellings or more was not secured within the Unilateral Agreement accompanying the appellant's case and therefore this could not be secured as part of this reserved matters application.

It was noted that there would be 1.5 hectares (3.7 acres) of public open space on the site, excluding the focal entrance point and the wet basin area. These areas would be landscaped using native shrubs, hedgerows and wildflower mix and the long term maintenance would be secured by the S106 Agreement. The landscaped buffer along the southern boundary would have dense foliage to provide a robust buffer strip. Discussions had taken place about the long term management of the areas, and in accordance with the S106, they would be offered to the Council for adoption.

It was considered that the planting scheme would deliver an enhancement in biodiversity value and be of benefit for a range of faunal species. New habitat creation was proposed within the public open space, attenuation basin and site boundaries and there would be improvements to ecological connectivity.

The access to the site had already been agreed within the outline planning permission. The County Highways Authority was satisfied with the internal layout and that the roads would be built to an adoptable standard; all properties met the wheeled bin drag distances to roadside collection points.

The car parking arrangements included 25 visitor spaces in appropriate places across the site. 25 plots would rely on tandem parking, although some properties would have more than two spaces allocated, including garage space. Highways was satisfied that the layout demonstrated a safe and accessible environment and the proposal also provided for a network of routes for pedestrians and cyclists.

Turning next to residential amenity, the Planning Team Leader said that some level of overlooking could not be completely avoided and the rear

garden depths of the new dwellings would be at least 10 metres to the rear boundary. The garden sizes and distances between houses accorded with the Design Guide SPD.

A Noise Assessment and mitigation scheme had been submitted and the Environmental Health Officer had advised that acceptable internal and external noise levels could be achieved with the proposed layout and allowing for windows to be open. The applicant, through the clever use of layout and internal arrangements, had successfully demonstrated that noise sensitive rooms were safeguarded.

Foul water drainage would be to the public sewer with the provision of a pumping station on site, adjoining the attenuation basin to the south east corner of the site. From there flows would be pumped north to the existing sewer. Anglian Water had advised that the impact on the foul sewage network was acceptable.

Where ground conditions allowed, the sustainable system would manage flows of surface water through infiltration; it included areas of permeable paving, an infiltration trench and infiltration basin. Surface water from roads would be collected by a piped network under the roads and adopted by Anglian Water. The scheme accorded with Policy ENV8 and the Flood & Water SPD.

The Planning Team Leader concluded her presentation by saying it was considered that the benefits of the proposal outweighed any adverse impacts and the application was therefore recommended for approval.

At this point the Chairman reminded Members that the outline application had been dealt with by Committee. He had called in this one because it was a significant application and he believed it would benefit from being considered by the Planning Committee.

At the invitation of the Chairman, Mr Jonathan Dixon, agent, addressed the Committee and made the following points:

- This application was for the approval of reserved matters, the principle of development on the site already having been approved;
- He appreciated that the Committee had refused the outline application and permission was granted at appeal, but he wished to emphasise that neither he nor Bellway were involved in that process;
- Matters to do with traffic and off-site impacts were addressed during the previous application and appeal;
- Bellway Homes had worked tirelessly with all stakeholders to ensure it would be a high quality development that met or exceeded the requirements of planning policy and the planning permission;
- Bellway were new to the area and were fully focused on building positive relationships and quality homes for the local community;

- They had met with the Parish Council and local residents and had engaged with statutory consultees. This effort was reflected in the lack of unresolved objections to the proposal;
- The Parish Council did not object to the design of the proposal but it had commented on two points – access to the site, and drainage. The County Council were not agreeable to Bellway's efforts to try and 'improve' the access and the access had been approved at outline stage. In respect of drainage, they had bent over backwards to accommodate all of the LLFA's comments;
- No comments were submitted by the Ward Members and only two responses were received from neighbouring properties;
- The housing mix had been amended following comments from ECDC's Housing Officer, who now supported the proposal;
- Extra car parking spaces had been added to improve on the minimum requirements;
- Bellway had worked tirelessly to ensure that this would be a high quality development and looked forward to being able to deliver these much need homes.

Councillor Jones asked if there were plans to include crossings to the scheme and the Planning Manager reminded him that the S106 Agreement had been signed at the outline stage, so it could not be done.

Councillor David Ambrose Smith enquired whether the Authority had a minimum square meterage per property; the Planning Manager replied that nothing was set in policy or SPD's.

The Chairman queried the maintenance costs and was advised by the Planning Manager that these had all been secured as part of the outline and the S106 Agreement.

Councillor Trapp queried where the electric vehicle charging points were going and the Case Officer advised that Condition 6 required a scheme/details to be submitted.

Councillor Schumann felt that full credit should be given to Bellway for finding a way to develop the site. He did not like the acoustic fencing, but it was policy compliant and there was no reason to refuse the application.

Councillor Brown did not think there was enough parking but he was reminded that the proposed provision was compliant.

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

It was resolved unanimously:

That planning application 19/01054/RMM be APPROVED subject to the recommended conditions as set out in the Officer's report.

91. 19/01690/FUL – 4 PRIORY GARDENS, ISLEHAM, CB7 5ZB

Gemma Driver, Planning Officer, presented a report (reference U160, previously circulated) which sought consent to insert three roof lights to the front elevation of the roof slope of No. 4 Priory gardens.

One roof light, serving the bathroom, had already been installed, therefore the application was part retrospective. The application was required because permitted development rights were removed under Condition 12 of application reference 99/00323/FUL.

The Update Document stated:

- Updated Proposal – Addition of roof lights (front elevation) to Attic level (**part retrospective**);
- A site notice was also displayed near the site on 17th December 2019 in addition to the neighbour consultation letters that were sent.

The application site was a detached dwelling located in Isleham, within the development envelope and in a residential area. The dwelling was located down a private road accessed from West Street and the access to the site was within the Conservation Area, although the dwelling itself was not.

It was noted that the application had been called in to Planning Committee by Councillor Julia Huffer as it had attracted a lot of local concern.

A number of illustrations were displayed at the meeting, including a map, aerial view, elevations and photographs relating to residential and visual amenity.

The main considerations in the determination of the application were:

- Visual Amenity; and
- Residential Amenity.

Speaking of the planning history, the Planning Officer said a full application for the erection of 5 dwellings was approved under application 99/00323/FUL. Condition 12 of that permission removed permitted development rights to add any additional windows, doors or openings of any kind in any elevation at ground and upper floor levels without the consent from the Local Planning Authority. The condition was imposed in order to safeguard the reasonable residential amenities of adjoining properties and therefore, a planning application was required for the installation of the roof lights and were subject to this part-retrospective application.

With regard to residential amenity, it was noted that the occupiers of neighbouring dwellings had raised concerns regarding the proposed roof lights providing a line of sight into bedrooms. However, as they would be looking out onto the front elevation of neighbouring dwellings, it was considered that they would not be overlooking into private amenity space.

It was considered that views from the first floor windows already provided a clearer line of sight towards neighbouring dwellings than from the existing roof light that was included as part of the proposal. Due to the existing presence of windows on this elevation, together with the separation distances as detailed in the Officer's report, it was considered that the proposal would not result in an increased level of overlooking.

The agent had confirmed that the cill height would be located 1.5 metres above the floor level. This was not considered to be unreasonable and would not enhance the views to neighbouring dwellings any more so than the existing windows at first floor level.

Whilst it was acknowledged that the proposal would create a slight change to the existing appearance of the dwelling within the street scene, it was considered that the proposed roof lights would not significantly alter the external appearance of the dwelling to warrant refusal of the application on this basis.

Concerns had been raised during the neighbour consultation regarding the visual impact of the proposal. The concerns included that the proposed roof lights would substantially detract from the visual appeal of Priory Gardens, and if granted permission, the proposal could set a precedence which would lead to an unsightly deformation of the existing elegance of the Gardens. Concerns had also been raised about the proposal detracting from the desirability of Priory Gardens and how it may affect the future sale prices of properties. Members were reminded that each planning application was assessed on its own merits; property value was not a material planning consideration and therefore could not be considered in the determination of this application.

The Planning Officer concluded her presentation by saying that on balance, the proposal was considered to be compliant with the relevant local and national policies. It was not considered to create significantly harmful impacts to the private amenity of neighbouring dwellings or the visual amenity and character and appearance of the area. The application was therefore recommended for approval.

At the invitation of the Chairman, Dr Chris Corbin and Mr Robert Wade each addressed the Committee and made the following comments:

Dr Corbin (reading from a prepared statement):

'I am Dr Chris Corbin and I live at No. 5 Priory Gardens, the property on the right-hand side of the close and adjacent to No. 4.

In 1999, the Planning Committee recognised the sensitivity of the appearance of the proposed development in Priory Gardens and laid down a number of conditions in granting their permission. I particularly applaud their foresight in requiring, among other things, that planning consent be obtained for any additional windows, doors or openings of any kind at ground and upper floor levels of the approved development, in order to safeguard the reasonable residential amenities of adjoining properties.

We relied on that reassurance when we decided to buy a house in Priory Gardens.

The approved design of the houses at Priory Gardens respected its location partly within and adjacent to the Conservation Area. Their appearance was to be sympathetic to the local architecture and the care taken extended, rather remarkably, to ensuring that no garage door was visible from the front of the houses.

We consider ourselves fortunate that Priory gardens remains an attractive place to live and feel that that same attention to detail continues to be important if this is to be preserved.

No. 4 Priory Gardens is prominent, since it faces the entrance to the close and is at a slightly higher elevation than the houses on the left-hand side. The left-hand side of the roof is particularly visible.

I feel that Velux roof lights on the front elevation of the roof of any house in Priory Gardens would detract from the uniform appearance of the original clay-tiled rooves. I also fear that if this was permitted for one house, it would be hard to deny it for another.

Furthermore, I am conscious of being overlooked from roof level by the bathroom window that has already been made in the roof of No. 4. This application includes a pair of roof lights that together represent quite a large window in the left hand side of the roof and further detriment to my privacy and that of the other residents, not only of Priory Gardens but also the area beyond.

I am most grateful to the Planning Committee for listening to my concerns.'

Mr Wade:

- He had lived at No. 1 Priory Gardens since August 2000 and had chosen it because it was a particularly unusual attractive modern development;
- It was spacious and well designed with roof lines and garage doors to the rear;
- The planning conditions had been applied as a safeguard;

- His particular objection was that No. 4 was the 'show face' of Priory Gardens and the size of the proposed windows would spoil its appearance, feel and character;
- The windows would provide a line of sight to the rooms on the east of his property;
- Granting permission would set a precedent;
- The Velux had been fitted ahead of the application and was not to drawing. It looked unbalanced and the windows were much larger;
- The application should be refused and the views of the Parish Council upheld.

Councillor Jones said he struggled to find a significant difference between the view out the existing first floor window in that elevation and asked Mr Wade why he felt the extra elevation was an extra intrusion. The latter replied that it gave a better view and made it easier to see into his bedroom and he could see into theirs. He would have to be careful what he did and he did not want that. Dr Corbin added that there would be a sense of being looked down upon.

Councillor C Ambrose Smith asked if Mr Wade's mind would be settled if obscured glass was to be fitted. Mr Wade replied that the window would be opening and occupiers could still look out.

Dr Corbin said he had worked out the scale of the other drawings that had been submitted and had concluded that the cill height would be no higher than 1.2 metres from the floor; it was the outside appearance that was the more objectionable. When asked by Councillor Jones if he would be happy to maintain the existing window and reject the others, Dr Corbin said he was living in a slight climate of 'what's coming next.'

Councillor Downey asked the Planning Officer if she had anything to say to the residents that the proposal was damaging to visual amenity. She replied it would change the appearance but it was not considered significant enough to warrant refusal.

Councillor Stubbs noted that the permitted development rights had been removed and she wondered if the Committee would be so disapproving had they not. The Planning Manager stated that in that case, the work could have been done without coming to the Authority.

Councillor Wilson suggested that the windows could be obscure glazed and non-opening so as to provide additional light for the room. However, Angela Briggs, Planning Team Leader, said that she had discussed this with the Case Officer and they had concluded that obscured glazing was not necessary as the outlook would not be significantly more than from the first floor existing windows.

Councillor Jones asked if there had been any discussion regarding putting the windows on the same side as the dormer and the Chairman reiterated that Members could only consider what was in front of them today. Reading from Appendix 1 (Planning Inspector's Decision Notice), he said '*... no additional windows, doors or openings of any kind shall be formed in any elevation(s) at ground and upper floor levels of the approved development without the permission of the Local planning Authority.*'

Councillor Schumann said that when looking at the pictures of the development which had been circulated during the meeting, he could not see that the proposal would cause any more overlooking, and he duly proposed that the Officer's recommendation for approval be supported. The motion was seconded by Councillor D Ambrose Smith.

Councillor Trapp found the proposal to be intrusive and said he would oppose approval on the grounds of visual amenity and affecting the character of the area.

Councillor Downey disagreed, adding that coming in on the bus for the site visit, he could not tell which house Members were supposed to be looking at. Councillor C Ambrose Smith concurred and said she was shocked to see the application included on the agenda.

The Committee returned to the motion for approval, which when put to the vote was declared carried, there being 8 votes for and 3 votes against.

It was resolved:

That planning application 19/01690/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

92. PLANNING PERFORMANCE REPORT – DECEMBER 2019

The Planning Manager presented a report (reference U162, previously circulated) which summarised the planning performance figures for December 2019.

It was noted that the Department had received a total of 147 applications during December 2019, which was an 11% decrease on December 2018 (166) and a 20% decrease from November 2019 (184).

The Planning Manager said there had been 1 valid appeal received, and 3 appeals had been determined, all having been dismissed, with 1 appeal turned away by the Planning Inspectorate as it was received outside the time limit.

With regard to enforcement, Members noted that Taylor & Sons of Littleport had appealed against their Enforcement Notice, and the Authority would defend this at appeal.

It was resolved:

That the Planning Performance Report for December 2019 be noted.

93. PLANNING CUSTOMER SATISFACTION SURVEY – 6 MONTH FEEDBACK

The Planning Manager presented a report (U162, previously circulated) which provided an overview of the responses received to the Planning Customer Satisfaction Survey carried between August and December 2019.

1911 questionnaires were emailed within this period to agents, applicants and members of the public and 183 responses were received, equating to a 9.5% response rate.

The report set out the positive and negative feedback received and the Planning Manager said the adverse comments would be discussed at team meetings in order to find ways to improve the service.

Councillor Brown asked that training for Members be pushed a bit more and offered to all. He also raised the issue of correct people being consulted on applications; the Planning Manager said that Officers should be double checking and asked that Members let them know the application references so that this could be rectified.

Councillor Schumann left the Chamber at 4.15pm.

Councillor Stubbs wished to know how Members could officially feedback comments regarding their views on Highways. The Planning Manager replied that it was difficult, as she did not have management control over them. She had emailed Geoff Ellwood and pushed matters as far as she could; all she could suggest was that Members go to their County Council colleagues or contact the Highways team direct.

Councillor Trapp referred to the section regarding how people found out about applications, and said that in many cases it was via the community rather than site notices or letters. The Planning Manager advised that the department directly notified people, as well as posting site notices and adverts in the Cambridge News. However, it was not feasible to do a blanket consultation.

Councillor Wilson thought that training for Parish Councillors should be considered. He was informed that the Planning Manager and the Planning Team Leaders had put out that they were happy to attend Parish Council

meetings, and indeed, still did so. Lewis Bage, Communities & Partnerships Manager was in the process of organising a Parish Forum and the Planning team would have a table at that event. The parishes were being encouraged to attend, or if they wished, they could arrange a special meeting for Officers to attend.

Councillor Trapp said that in his Ward, an article about the planning process had been included in the Parish magazine. Councillor Jones thought it might be of benefit to have a 'cheat sheet' and the Planning Manager responded that a list of all the policies in the Local Plan was sent out to the parishes. She would forward it to all Members so it could be attached to parish and Member's newsletters.

There being no further comments,

It was resolved:

That the 6 month feedback from the Planning Customer Satisfaction Survey be noted.

The meeting closed at 4.27pm.