



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange,
Nutholt Lane, Ely on Wednesday, 3rd April 2019
at 2.00pm

P R E S E N T

Councillor Joshua Schumann (Chairman)
Councillor Sue Austen
Councillor Derrick Beckett
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Mark Goldsack
Councillor Neil Hitchin (Substitute for Councillor Christine
Ambrose Smith)

Councillor Bill Hunt
Councillor Mike Rouse
Councillor Stuart Smith

OFFICERS

Maggie Camp – Legal Services Manager
Gemma Driver – Planning Assistant
Richard Fitzjohn – Senior Planning Officer
Barbara Greengrass – Planning Team Leader
Anne James – Planning Consultant
Janis Murfet – Democratic Services Officer
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Allen Alderson (Agenda Item 7)
Councillor Steve Cheetham (Agenda Item 6)
Councillor Mark Hugo (Agenda Item 6)
Councillor Mathew Shuter (Agenda Items 5 & 8)
40 members of the public

138. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Christine Ambrose Smith and David Chaplin.

It was noted that Councillor Neil Hitchin would substitute for Councillor Ambrose Smith for the duration of the meeting.

139. DECLARATIONS OF INTEREST

There were no declarations of interest made.

140. **MINUTES**

It was resolved:

That the Minutes of the meeting held on 6th March 2019 be confirmed as a correct record and signed by the Chairman.

141. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- This was the first of two Planning Committee meetings to be held in April. The next would take place on 24th April 2019 and there would be no meeting in May because of the forthcoming elections;
- He welcomed Gemma Driver, Planning Assistant, to her first meeting of Planning Committee;
- On behalf of the Committee, he offered congratulations to Andrew Phillips, Planning Team Leader, who had got married on 2nd April;
- Today was the Planning Manager's birthday. The Chairman presented her with flowers and Members gave her a round of applause.

142. **18/01301/OUT – SITE NORTH WEST OF CHEVELEY LODGE, CHEVELEY PARK, CHEVELEY**

Barbara Greengrass, Planning Team Leader, presented a report (reference T237, previously circulated) on behalf of the Case Officer for an application which sought outline consent for the construction of a single dwelling. The matters to be considered at this stage were access and scale. All other matters would be considered as part of a reserved matters application.

The application site was located approximately 1 mile outside the defined settlement boundary within a cluster of historic dwellings at the edge of Cheveley Park. The site was currently an area of grass with a garage and hedging.

The application had been called in to Planning Committee by Councillor Mathew Shuter due to the unique situation and nature of Cheveley Park.

A number of illustrations were displayed at the meeting, including a map, an aerial image, a layout of the proposed development, and views of the street scene.

The main considerations in the determination of the application were:

- Principle of Development;

- Residential Amenity;
- Visual Amenity;
- Highway Safety; and
- Trees.

The Committee was reminded that the Council was currently unable to demonstrate an adequate five year housing supply and therefore applications were being assessed on the basis of presumption in favour of development unless there were any adverse impacts in doing so. The application site was located outside of the development envelope of Cheveley, however it was adjacent to an existing cluster of residential development and was therefore not considered to be isolated in its location.

The location and scale of the proposed dwelling was not considered to cause significant and demonstrable harm to the adjacent neighbouring dwellings, although this would be assessed fully at reserved matters stage. With regard to the amenity of future occupiers, the application stated that private amenity space in excess of 100 square metres was provided. However this would be overshadowed by the significant line of mature trees along the western boundary and the resulting level of overshadowing would be unacceptable.

The site was narrow, at approximately 12 metres at its widest points, and it narrowed into a point to the south. In terms of visual impact, it was considered that the proposal would appear cramped and result in an overdevelopment of the site due to the scale of the dwelling in relation to the boundaries of the site. The land had the appearance of open space which did not warrant residential development on such a narrow site. The siting of the proposed development was considered to be inappropriate for its setting and would appear out of keeping with the distinctive traditional pattern of development in this area. The proposal would result in harm to the character and appearance of the area through the introduction of a cramped form of development.

Members noted that the applicant proposed using an existing access off the public highway. The County Highways Authority had been consulted and had stated that they raised no objections in principal to the application. The proposal provided sufficient parking spaces for the proposed dwelling, and therefore highways matters were considered to be acceptable.

The applicant had submitted a Tree Survey which identified that there were several trees at the site which were in close proximity to the proposed dwelling and private amenity space. The Council's Trees Officer had reviewed the information and advised that these trees would require regular pruning in order to accommodate the proposed dwelling, which in addition to inconvenience, would render them unsightly. It was noted that these trees did not form part of the application site or fall under the ownership of the applicant, and therefore it was unreasonable to expect the owner to manage the trees in a way which would allow the proposed development. This would also impact on the amenity of future occupiers through issues such as shading, honey dew, leaf fall and branches making contact with the proposed dwelling, which would create pressure to remove the trees in the future. The

Trees Officer had identified that these trees were of a species which would develop into large, tall specimens and would form a significant part of the future landscape. It was therefore considered that the potential loss of these trees in the future would cause harm to the visual appearance and character of the area.

The Planning Team Leader concluded by saying that on balance, the application would provide one additional house to the District's housing stock in a location which was not physically isolated. However the proposal would appear cramped and contrived, on a site which did not warrant residential development and would be harmful to the character and appearance of the area. In addition, the residential amenity of future occupants would be impacted by the close proximity to mature trees which would overshadow the garden area and create issues such as leaf and branch fall, and honeydew. The application was therefore recommended for refusal.

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

- The application site was in a hamlet with pedestrian and vehicular access. It was to the west of the village and included in the 2015 Local Plan;
- The mature trees were included in the submitted Tree Survey and had been discussed with the Trees Officer. There had also been discussions with the applicants regarding the Authority's lack of a 5 year supply of housing land;
- It was intended that the applicants' son would move into No. 8 and they would occupy the bungalow. This would allow their son to be on hand for them rather than him having to drive to get to them;
- An illustrative layout had been submitted and it showed that suitable parking could be achieved and it would meet the Design Guide requirements;
- Other than the issue of the trees, there had been no other negative comments. It was unlikely that the roots would impinge on the wall and shading would be no problem;
- The applicants would need management of the trees so that they did not suffer unduly, but the scheme was a bungalow and light would not be an issue;
- A carport could address the problem of dripping;
- The wall was an important setting and the owner of the trees had a duty of care.

At the invitation of the Chairman, Councillor Mathew Shuter, a Ward Member for Cheveley, addressed the Committee and made the following comments:

- He had called in the application because he felt it very important that the members of the Planning Committee should have a chance to see this unique location;
- He knew the area well and supported the application because sustainability was very important;
- There would be no financial advantage to the application. The intention was for the son to look after his parents and in this respect the application was highly sustainable;
- Properties on this development very rarely came on the market;
- There were reasonably substantial trees to the south and the historic wall had to be maintained. The trees would have to be kept to a reasonable height to mitigate any damage;
- There were many trees which caused shading. This had always been so and there had never been any problems;
- This was not a 'money grabbing' application. It was sustainable because it would allow the son to live there and look after his parents;
- The application site being outside the development envelope was irrelevant, as there had always been dwellings in the location.

Councillor Goldsack, having noted that the proposal was for a detached chalet bungalow, asked if the property would have one or two floors. The Planning Team Leader said that the proposed height was 6.6 metres and reminded him that the application was only outline at this point.

Councillor Edwards enquired whether any buildings were listed or in the Conservation Area. The Planning Team leader replied that Hopes Cottage and the wall were both listed.

Councillor Beckett thanked Councillor Shuter for the opportunity of going to visit the location. However, personal circumstances were not a material consideration and he agreed with the Officer that the development would appear overly cramped. He was therefore minded to support the recommendation for refusal.

Councillor Rouse did not think it was a question of sustainability, but whether the scheme could be achieved. He thought the location was an extraordinary eclectic collection of buildings, but the site was too small and the development would appear contrived and cramped. He would support the Officer's recommendation.

Councillor Hitchin agreed that the proposal would probably create visual harm, but he thought that with a good design it would be possible to bring forward something that would fit in with the features of the site.

Councillor Cox said while his first reaction was that the dwelling would be incongruous with the existing, he believed something could be designed to be in keeping with the location.

Councillor Hunt felt that as this was only an outline application, it could be brought back to Committee. The design and construct would be critical, but with the correct attention, something could fit on the site.

The Chairman reiterated that this was an outline application with some matters to be determined, including scale. If the Committee considered that the scale did not fit, Members should go with the Officer's recommendation because scale was being decided today.

It was proposed by Councillor Beckett and seconded by Councillor Rouse that the Officer's recommendation for refusal be supported. When put to the vote, it was declared carried, there being 7 votes for, 2 against and 1 abstention.

It was resolved:

That planning application reference 18/01301/OUT be REFUSED for the reasons given in the Officer's report.

143. 18/01363/OUT – LAND REAR OF 6 TO 12 HIGH STREET, ALDRETH

The Chairman stated he had been advised that the residence of one of the neighbours had protected status under the Equality Act 2010, and Members should therefore have due regard for this.

Anne James, Planning Consultant, presented a report (reference T238, previously circulated) which sought planning permission for a scheme comprising 6 detached self-build properties with detached garages. Access would be taken to the west of the site from Tinkers Lane to the High Street.

She said that in dealing with this planning application and in reaching a recommendation set out in this report, proper consideration had been given to the duty imposed on the Council under the Equality Act 2010 to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by that Act; to advance equality of opportunity and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are a person's age, sex, gender assignment, sexual orientation, disability, marriage or civil partnership, pregnancy or maternity, race, religion or belief.

The application site comprised an arable field located on the northern edge of the village. It was enclosed by a combination of trees/hedgerows and residential boundary treatments which varied in height. To the west of the site was De Freville Farm with Tinkers Lane running the full length of the western boundary. On this boundary the site was enclosed by a dense screen of hedgerow, and the northern boundary abutted open countryside. Tinkers Lane comprised an unmade single track access which was also a Public Right of Way for both pedestrians and vehicular traffic using the working farm, and for the garage to the rear of No. 12 High Street.

The application was called in to Planning Committee by Councillor Steve Cheetham in view of the implications on residential amenity, village

character, site access and highways and need for self-build plots within the District.

A number of illustrations were displayed at the meeting. They included a map of the location site, an aerial image, the layout of the proposal, and photographs relating to visual and residential amenity and highways and parking.

The main considerations in the determination of the application were:

- Principle of Development;
- Visual Amenity;
- Residential Amenity;
- Highways/Access and Parking;
- Other Matters; and
- Planning Balance.

The Planning Consultant reminded Members that planning permission had been previously been refused in 2017 on the grounds of the proposal being located in an area defined as open countryside; adverse highway impacts; and adverse impacts on residential amenity. The second and third reasons for refusal had now been overcome but the Council could not currently demonstrate a 5 year supply of housing land and the presumption in favour of sustainable development applied.

With regard to visual amenity, it was noted that land levels rose gradually from east to west and from south to north. The site was visible through gaps in development but was screened effectively by boundary hedgerow. The proposal would be visible from a number of vantage points and these would be along the Public Right of Way. The formation of a new vehicular access point would further open up views of the development.

Whilst the proposed development would have an impact upon the character and appearance of the site and its immediate environment, its impact on the visual amenities of Tinkers Lane would alter. This section of the road was presently semi-rural with an open outlook onto the site and post development it would be significantly altered to one of a street within the built development of a village. It was considered that any impacts could be mitigated through good design principles and landscaping which could be controlled through a future reserved matters application.

Speaking next of residential amenity, the Planning Consultant stated that the cooling and ventilation plant at the De Freville Farm potato store would cease.

Nos 4a, 6, 6a, 8 and 10 High Street were all in close proximity to the application site on the north-eastern and south-eastern boundaries. In particular No. 6a, due to its restricted depth in plot size, had resulted in the rear wall of the dwelling being approximately 2 metres from the site boundary. The lounge window on this north-west facing elevation was not the

sole source of light to the living room, but it provided the occupiers with an outlook onto the application site. The occupiers of No. 6a had protected characteristics and relied on this room for much of their day to day living. Whilst it was acknowledged that the landowners could at any time erect 2 metre high fencing on this boundary without planning permission, a less intrusive boundary treatment could be achieved to ensure that the rights of the occupiers could be protected.

In terms of the access into the site, the Highways Authority had raised no objection in principle but had observed that the applicant did not appear to control sufficient land in order to carry out the required improvements to the junction with the highway. The Highways Authority had therefore imposed a number of conditions on the consent which would need to be discharged by agreement.

In connection with other matters, Members noted that parking would be considered at the detailed design stage. Anglian Water was satisfied that the 'used water network' had capacity to treat the flows; further details regarding possible ground contamination could be submitted by condition and mitigation measures could be imposed by condition to ensure that the site delivered a net environment gain.

The development would contribute to the housing land supply which, given the Council's current inability to demonstrate a 5 year supply, would carry considerable weight in the planning balance. There would also be economic benefits in terms of the construction of the development, and those associated with the resultant increase in population.

It was concluded that while the scheme would impact on the visual amenities and character of the area, the site specific characteristics provided sufficient physical and visual containment to the site. It was not considered that the development would unacceptably intrude into the open countryside. The application was therefore recommended for approval.

At the invitation of the Chairman, Dr Fran Whitaker addressed the Committee in objection to the application and read from the following prepared statement:

'Thank you for allowing me to speak on a planning application which has caused my husband and myself great concern and literally many a sleepless night.

We moved to Aldreth a few years ago and were struck by its quiet beauty. We were lucky to find a bungalow that I could move into with minimal adaptations. After a long distinguished and busy swimming career for Great Britain of over ten years, a quiet move to a rural location was ideal.

One of the main reasons we chose this bungalow was its outlook, which effectively afforded us a low maintenance garden, as we have a very small paved area at the rear of our property and it is easier to maintain.

The prospect of having development directly adjacent to our boundary is a real concern, particularly given the potential inclusion of double storey houses. As a self-employed person, I run my business from home so the

impact of the proposed development on both our living and working space is significant. My office faces directly out and would receive very little light.

For both my husband and myself, having access to quiet and unspoilt surroundings is particularly important. This is especially the case for my husband, who has a long history of depression and anxiety. He has recently experienced a deterioration in his mental health due to the proposed development, as the copy of his GP letter shows.

I do not believe that our particular circumstances, and the significant harm that the proposed development would do, have been afforded sufficient weight in the planning report. I would urge you to refuse this application and help us maintain our peaceful existence.'

At the invitation of the Chairman, Mr Ian Smith, agent, addressed the Committee and made the following points:

- The previous application had been refused for 3 reasons, but the principle was now somewhat different and the Council only had a 3.94 year supply of land for housing;
- Highways accepted that a safe access could be achieved;
- A unilateral agreement addressed the issue of the noise from the farm;
- The merits of the scheme were that it was self-build, of a modest and appropriate scale, and all matters except access were to be determined;
- It would round off the village;
- Condition 2 would address the practicalities of self-build, so if the application was approved he would want to discuss the wording with Officers.

At the invitation of the Chairman, Mrs Karen Ingless, representing Aldreth Community Association, addressed the Committee and made the following comments:

- Aldreth Community Association was the closest thing the village had to a parish council;
- The Association strongly objected to the application and the villagers had expressed their concerns;
- The development would significantly impact on neighbours, especially those at No's 6 to 12 High Street, because they had small gardens, if any and would lead to a loss of views;
- Loss of amenity - there would be increased noise, loss of views, and disturbance from car headlights;

- The property under construction to the rear of No. 4 is not open countryside and was built on a concrete pad;
- The development would be overbearing and there were concerns about the access road as it was used by heavy farm vehicles. There would also be excess water and sewerage;
- Self-build would allow the landowner to avoid paying CIL;
- The issues were the same as before. This was open countryside and Aldreth was only suitable for infill development;
- She did not live in the High Street herself, but she supported the residents. This development would not be good for the community and she urged Members to save the character of the village by refusing the application.

The Chairman asked Mrs Ingless about loss of amenity. She replied that she meant the actual environment that people lived in, such as being able to walk in open countryside as it is quiet and undisturbed at present and what people would see from their lounge and kitchen windows; the scheme would affect their general wellbeing.

At the invitation of the Chairman, Councillors Steve Cheetham and Mark Hugo, Ward Members for Haddenham, addressed the Committee and each read from a prepared statement:

Councillor Cheetham:

'Chairman and Planning Committee Members, I have very serious concerns about this application as do the parish council and a significant number of Aldreth residents. It is my view that there are material planning reasons for this application to be refused and that there are clear adverse effects that would significantly and demonstrably outweigh the moderate benefits of this development. It should be noted that Aldreth, within the Local Plan 2015 is documented as being unsustainable, with no development allocation and infill only.

This site is an enclosed arable field which slopes towards the south east and is behind a linear row of dwellings that consist mainly of bungalows and small two story dwellings, the rear depths of the gardens of these properties, as you would have seen, are very limited. To the north east, there is not a linear row of houses but a bungalow and a setback in fill property on a brown field site nearing completion.

This site does not present itself as a natural extension to the built form of the village and is outside the settlement boundary. The proposed dwellings by virtue of this location would be at odds with the built form, would result in an urban intrusion such that it would cause significant demonstrable harm to the character and appearance of the setting of Aldreth. As such it is contrary to Policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015 and the National Planning Policy Framework.

As well as the above, Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan 2015, seeks to protect landscape and settlement character and in particular, respect views into and out of settlements. These aims are reiterated in paragraph 170 of the February 2019 NPPF which seeks to protect the intrinsic character and beauty of the countryside. Although this application is in outline only, the indicative plan shows how the site is planned to be developed in a nucleated format with a single access point of Tinkers Lane. The prevailing built character of the area is predominantly linear and this format would be out of keeping with that strongly developed characteristic. Policy ENV 2 of the Local Plan 2015 is also concerned with ensuring new development is designed to a high quality and enhances and complements local distinctiveness and amenity by relating well to existing features. It is not possible to develop this site in a way that respects the existing character of the area and its design and appearance would fail to comply with the aims of this policy. Paragraph 127 of the February 2019 NPPF states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting and function well and add to the overall quality of the area.

The views of this development will not be screened as it sits in open countryside and will be clearly visible as you come down Aldreth Road and down into Aldreth High Street, which due to Aldreth Hill presents one of the very few chances to see a traditional fen village set in a wider fen view. Development in Aldreth is centred on the High Street and this development will dilute the sense of place at this key village location and the addition of new 9m 2 storey buildings will create incongruity with the character of the High Street dwellings. Although this is a reserved matter application new dwellings of any design would create significant harm to the character and appearance of the area.

Only last week an appeal was dismissed for a development of 6 houses in Aldreth where it is stated that the delivery of these would be a benefit of moderate weight, however this scheme would result in significant harm to the character and appearance of the rural location. These adverse impacts would conflict with Paragraphs 127 and 170 of the Framework which were of significant weight against the granting of planning permission. Consequently, the adverse impacts of the scheme would demonstrably outweigh its moderate benefits when assessed against the policies in the framework taken as a whole.

In October 2017 a similar application on the same agricultural field was refused by the planning officer with one of the key reasons noted as being that the development would cause harm to the rural character of the area and it would significantly extend permanent built form into the countryside in this prominent location in a manner that is considered harmful to local landscape character and visual amenity. In my view the October 2017 statement in relation to refusal clearly applies to this application as do reasons for the appeal dismissal North of 1 High Street, Aldreth received last week and this application should be refused on these issues alone.'

Councillor Hugo:

'Local Plan 2015 Policy ENV2 requires development proposals to ensure that there is no significant detrimental effect on the residential amenity of nearby

occupiers. Although the design is still awaited it is very clear the amenity of the existing residents will be significantly impacted. Existing properties have small or no gardens and are single storey with paddock/low fencing backing onto to open agricultural land. They therefore enjoy low maintenance of garden and a view onto open fields, both of which are reasons the residents moved there. Members should also note that the indicative house plan was submitted after the consultation with the parish councillor and residents' notices who I believe should have been reconsulted at that point. The main issues are:

- The access road will run down Tinkers Lane and behind the existing properties and the vehicle movements to and from the proposed development will generate significant noise and especially vehicle light issues.
- The proposed development would dominate the views from existing habitable rooms or residential gardens. This will have a serious effect on the health and well being of existing residents, some of whom are extremely vulnerable as you have seen here today.
- The site is clearly NOT infill by definition but would be back land development and does not present itself as a natural extension to the built form of the village. The proposed dwellings would be at odds with the current form of Aldreth and would result in an urban intrusion and would cause significant demonstrable harm to the character and appearance of the setting of Aldreth.
- Development of this depth and size is unsuitable for Aldreth and will set a bad precedent for further growth into the countryside, thus changing the nature of the hamlet.
- The plots are stated as "self-build" which could result in a hotch potch of styles and a prolonged build time and ongoing stress, noise and inconvenience for existing residents. Every individual planning application would involve close residents consultation and therefore generate considerable and continual mental stress.
- the self-build list held by ECDC has minimal entries for the whole district and therefore shows no need for this extra number of self builds in one place. I also believe there is also no evidence that anyone already on the list has indicated they wish to live in Aldreth which surely there needs to be for any self-build permissions?
- Surface water drainage is also a concern as the proposed properties naturally drain towards the High St which on many occasions flows with water until it reaches an area of insufficient number of and often partially blocked drains further down the village and leads often to floods in The Borough threatening around a dozen properties. The removal of the natural "sponge" effect of this field would only add to this problem.

The proposed dwellings are located within the countryside and, by virtue of its distance from the main settlement of Haddenham of about 1/12 miles are by any sensible definition in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of these additional dwellings will be totally reliant on motor vehicles in order to access any local services or facilities. There are no shops or schools in Aldreth and contrary to the officer's report no church and the only bus service to Ely is once a week on Thursday at a time of no use to employees of any company. There is no pavement on the 1.5 miles of Aldreth road to Haddenham and the unfinished footpath is not safe or suitable for buggies, cycles or small

children. All bicycles must use the mostly unlit road and dodge the cars and lorries. There have been accidents, none fatal yet, on this stretch many times.

In conclusion I believe this is clearly an inappropriate development for the hamlet of Aldreth that would do demonstrable harm to its residents in general and severely affect the life and health of immediate neighbours – particularly Mr & Mrs Whittaker.

This development, I repeat, is NOT infill by ECDC's own published definition and would set a bad precedent for the future. This exact application was already refused back in 2017 for many legitimate reasons other than the 5 year housing supply issue. Only last week an appeal on a proposal a few hundred yards away for a development of similar size, the Inspector stated the delivery of those 6 houses would be of moderate benefit only.

Lastly if I may finish on a personal note. I have spoken on many planning applications from this position over the last 4 years and in all honesty I cannot think of a clearer case where demonstrable harm outweighs the moderate benefits.

I became a Councillor to support the residents of my ward and help to build a better East Cambridgeshire, I did not become a councillor to inflict this level of harm to the hamlet of Aldreth, or to extremely vulnerable residents, one of whom you have seen speaking today. I hope you as my fellow councillors feel likewise.

This application is completely inappropriate for this agricultural field and the hamlet of Aldreth, it is opposed by HPC, ACA, both ward councillors who are able to speak and many, many residents. I beg Members to do the right and consistent thing and refuse this application once again.'

At this point the Chairman reminded Members that they had in front of them a list of material and non-material considerations; he reiterated that the right to a view or problems during construction were not material considerations.

Councillor Hunt, having noted the receipt of 27 letters of objection, asked the Planning Consultant if there had been any in favour of the proposal. She replied that unless they were mentioned in the report, there were none.

Councillor Cox wished to know if refuse vehicles would be able to get up Tinkers Lane to make collections. The Chairman said that providing the road was to an adoptable standard, vehicles would collect the refuse. The indicative layout showed the road would be to an adoptable standard. The planning Consultant added that the carriageway would be 5 metres wide up to the turning head.

Councillor Beckett noted that the applicant could erect a close boarded fence if they wished. He asked if it would be possible to protect the amenity of the occupiers of No's 6 to 12 High Street if the application was approved. The Planning Consultant replied that there would be an opportunity to safeguard in perpetuity, as Members could request that the

reserved matters application be brought back to Committee. The Chairman added that if the Committee so wished, they could remove the Permitted Development rights along the boundary edge.

In response to a question from Councillor Goldsack, the Planning Consultant said she had sought clarification from the County Council regarding the width of the bridleway. The Public Rights of Way Officer had stated it was 9.1 metres and covered the whole of Tinkers Lane. He would be happy to negotiate with the applicant and this would be conditioned.

Referring to the legal agreement, Councillor Rouse asked if the present farming activity had to change or cease. The Planning Consultant replied that the noise would cease but the activities could continue.

Councillor Smith agreed that the development would cause significant and demonstrable harm and he believed that the findings of the appeal against the application for land adjacent to No. 1 High Street should apply to this case.

At this point the Chairman interjected to say that he would have to ask Councillor Smith to leave the Chamber. The Legal Services Manager had noted that Councillor Smith was reading from a pre-typed speech and this indicated that he had pre-determined the application.

Councillor Smith left the Chamber at 3.15pm.

In proposing that the Officer's recommendation for approval be rejected, Councillor Hunt said that people moved to somewhere like Aldreth because they were looking for peace and quiet and he thought extra weight should be given to this. The Committee should protect what residents held dear as the Council had always taken note of the Parish Council's views. These areas had special charms and such rural areas should be protected. There was a strong potential for this development to cause a reduction in residential amenity; he considered it to be backfill and that it conflicted with the current built form of the village.

Councillor Austen seconded the motion for refusal.

Councillor Rouse said that agriculture was changing and idyllic rural areas were usually farming areas with hard working communities. He agreed that a degree of protection was required for some of the properties, but with the lack of a 5 year housing land supply, it was difficult to see how the application could be refused. He would support the recommendation.

Councillor Hitchin said he was sympathetic, but Councillor Rouse was correct in saying that the area was a working landscape. The house currently being built was on brownfield land and this proposal was just filling in backland.

The Committee returned to the motion for refusal, which when put to the vote was declared carried, there being 5 votes for and 4 votes against.

Councillor Beckett asked if it would be possible to draw attention to the point about protecting people in the event of the decision going to

appeal. The Planning Manager assured him it would be included in the minutes and she would check it carefully. Whereupon,

It was resolved:

That planning application reference 18/01363/OUT be REFUSED for the following reasons:

- The scheme will cause damage to the rural character of the area;
- It will conflict with the current built form of the village;
- It will cause a potential reduction in the residential amenity of existing homes.

Councillor Smith returned to the Chamber at 3.24pm.

144. 18/01397/OUT – SITE SOUTHWEST OF HILL FARM, FAIR GREEN, REACH

Richard Fitzjohn, Senior Planning Officer presented a report (reference T239, previously circulated) which sought permission for the erection of two detached dwellings on agricultural land to the south-west of Fair Green and to the south-east of Great Lane in Reach.

The application was submitted in outline form with only the matter of access to be considered. Appearance, landscaping, layout and scale would be dealt with at the reserved matters stage.

The site was located outside of but adjacent to the established development framework and Conservation Area for Reach. It comprised an agricultural field with agricultural buildings, machinery and paraphernalia sited within it. The site boundaries were largely bordered by trees and hedging and Public Byways 7 and 8 (Reach) were located adjacent to the north-east and south-east boundaries. The built up area of the village predominantly comprised linear development along the road frontages, with very few examples of dwellings located directly behind other dwellings. The application site was located to the rear of frontage development along Fair green, where the predominance of largely undeveloped agricultural land contributed positively to the character and appearance of the area and the surrounding public byways.

It was noted that the application had been called in to Planning Committee by Councillor Allen Alderson for the reason set out in paragraph 2.3 of the Officer's report.

A number of illustrations were displayed at the meeting. They included a location plan, an aerial image, and an indicative site layout.

The main considerations in the determination of the application were:

- Principle of development;
- Character and appearance of the area;

- Residential Amenity;
- Highway safety; and
- Archaeology.

The Senior Planning Officer reminded Members that the Council was currently unable to demonstrate an adequate five year housing supply and therefore applications were being assessed on the basis of presumption in favour of sustainable development unless any adverse effects of the development significantly and demonstrably outweighed the benefits.

It was noted that the site was located adjacent to the established development framework for Reach and was sufficiently connected to other housing and the rest of the village to be considered sustainable.

With regard to the character and appearance of the area, the surrounding area predominantly comprised linear frontage development. To the south-west of the dwellings fronting Fair Green, there was an immediate change in character to rural countryside and public byways. At present, these public byways helped to define the edge of the settlement by aiding separation of the rural countryside from residential built form within the village.

The proposal was located on largely undeveloped agricultural land and its location was at odds with the pattern of surrounding built form which predominantly fronted onto the public highways in the development framework. The proposal would amount to a form of backland development which was out of character with the predominant linear pattern and form of nearby residential built form. By virtue of its location, the proposed development would have a significant detrimental impact upon the public amenity of the byways and the largely undeveloped nature and rural character of the site. This would be contributed to by the necessary surfacing upgrades to the section of public byway forming the access to the site.

In terms of residential amenity, it was considered that the application site was sufficiently distanced from existing residential properties to prevent any significant detrimental impacts on nearby occupiers.

The County Council's Definitive Map Team was content with the use of Byway 7 (Reach) to access the site, subject to it being improved to an adoptable standard acceptable to the Highways Development Management Team.

The County Council had advised that the application site was located in an area of high archaeological potential and recommended that a condition requiring an archaeological investigation be appended to any planning permission. Members noted that there were no significant impacts in respect of the historic environment, contamination, ecology or drainage.

The Senior Planning Officer said that in connection with the planning balance, the proposal offered very limited economic and social benefits. There were no significant impacts on the historic environment, residential amenity, highway safety and archaeology. However, the significant and demonstrable harm to the character and appearance of the area and the

public amenity of the adjacent public byways would significantly and demonstrably outweigh the very limited economic and social benefits. The scheme was therefore recommended for refusal.

At the invitation of the Chairman, Mr Edward Clarke, agent, addressed the Committee and made the following points:

- The proposal did not involve the use of garden land, and it would use the existing access and front onto a highway, therefore it could not be backland development;
- Backland developments were not inherently harmful;
- It was intended that the dwellings would be in keeping with the existing built form and long views would be obscured by trees and vegetation;
- This was a low density proposal which would see the removal of the agricultural buildings and machinery;
- It was a small low density site and the positioning of the bungalows was indicative;
- The scheme would be a positive enhancement and it was not backland development;
- This was the type of site needed to boost homes and meet housing targets. There had been no objections from consultees and it would provide much needed housing.

Councillor Rouse asked if the location was a working farm and whether it would still operate if the bungalows were to be built. Mr Clarke replied that it had not been a working farm for about 30 years.

Councillor Goldsack observed that Mr Clarke had said the application site should not be considered to be backland. He queried how he could then say that backland development was not harmful as he appeared to be contradicting himself. Mr Clarke responded, saying the site had its own access and fronted a highway, so should not be considered backland, but if Members did consider it backland, it would not be harmful.

In response to a question from Councillor Hunt, Mr Clarke confirmed that the agricultural building would be demolished. Councillor Hunt went on to say that Reach was a very special village and he wondered if the applicant was ready for a hard time about the details regarding the design of the scheme.

At the invitation of the Chairman, Councillor Allen Alderson, Ward Member, came forward to address the Committee.

The Chairman informed the meeting that Councillor Alderson was not standing for re-election and he thanked him for his diligence, noting that during his time as a Councillor he had attended Planning Committee and spoken on most of the applications in his Ward.

Councillor Alderson said that Reach suffered from what he termed as 'the Cambridge effect'. Those who worked in the city and earned high salaries bought properties in the village and this was pricing out local people. Here was an application for two local families who were both born and brought up in Reach. Their present houses were too large for them, so they wished to stay in the village and downsize to smaller dwellings. He concluded by expressing the hope that his comments would be given due regard.

Councillor Rouse thought this to be an interesting case; the location was a derelict brownfield site and the farm had been inactive for 30 years. He believed it could be put to use for two local families and he did not think it would have an adverse effect on the character and appearance of the area or be detrimental to the village. He duly proposed that the Officer's recommendation for refusal be rejected and the application be granted approval.

In seconding the motion, Councillor Hunt said that this brownfield site was currently a mess and needed tidying, but in a proper way.

Councillor Beckett asked Members to bear in mind that the principle of development would be established if permission was granted. The site could accommodate 6 – 8 houses and there would be nothing to stop the applicant from coming back to ask for this. The Chairman interjected to say that this could be addressed at the reserved matters stage, and if so minded, Members could ask for the application to come back to Committee. The Planning Manager added that as this application was for only two dwellings, the reserved matters application could only follow on for two.

Councillor Cox concurred with Councillor Rouse's comments, saying that the village was aware of the less than attractive nature of the site; this scheme would improve the location.

The Chairman remarked that Reach had become very special and it was difficult to find areas to develop within the village. However, it was nice to see that the Parish Council was not adverse to growth.

The Committee returned to the motion for approval and when put to the vote, it was declared carried, there being 9 votes for and 1 against.

It was resolved:

That planning application 18/01397/OUT be APPROVED for the following reasons:

- The proposed location is a brownfield site;
- The scheme will not have an adverse impact on the character and appearance of the village;
- It will add two dwellings to the District's housing stock.

It was further resolved:

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

145. 18/01556/OUT – FRESHWINDS,47 HIGH STREET, CHEVELEY

Rebecca Saunt, Planning Manager, presented a report (reference T240, previously circulated) on behalf of the Case Officer, which sought outline permission for three dwellings, changes to the parking area of No 45 and widening of the access to No. 47. Approval for the means of access was sought as part of the application. The detailed matters of layout, appearance and scale of the buildings and landscaping were to be considered at the reserved matters stage. A proposed site plan showing an indicative layout for the new dwellings had been submitted.

The application site was land to the rear of existing dwellings fronting the High Street and forward of the existing backland dwelling. It was largely open paddock land and was accessed via a lane from the High Street to the south of the terrace of dwellings on the frontage. Three trees on the site, a mature Hornbeam and two Silver Birches, were covered by Tree Preservation Orders.

The site was largely outside the development envelope of Cheveley apart from the portion of the access closest to the High Street which fell within it. It was not within the Cheveley Conservation Area and there were no listed buildings in the immediate vicinity. The site was entirely within Flood Zone 1 and the pattern of development in the area was largely of linear, frontage residential properties along both sides of the High Street.

The Committee noted that the application had been called in to Planning Committee at the request of Councillor Peter Cresswell.

A number of illustrations were displayed at the meeting, including a location map, an aerial image, and an indicative layout.

The main considerations in the determination of the application were:

- Principle of Development;
- Sustainability;
- Visual Impact;
- Residential Amenity;
- Highway Safety; and
- Trees.

In terms of residential amenity, it was noted that the site was outside of, but adjacent to the Cheveley development envelope. As the Council could not currently demonstrate an adequate 5 year supply of land for housing, the presumption should be in favour of development unless the adverse impacts would significantly and demonstrably outweigh the benefits.

Speaking next of sustainability, the Planning Manager said that the application site had a public footpath link to the centre of Cheveley village. Occupants of the site would have convenient access to all services and

facilities within the development envelope and on that basis, the site was considered to be in a sustainable location.

With regard to visual impact, the site was largely undeveloped garden and paddock/grazing land. While the prevailing character of the area was linear, there was occasional backland development including to the rear of the site. While additional dwellings to the rear of the frontage properties would result in a limited urbanising impact by occupying existing open land with built development, the harm caused was considered to be limited and landscaping would soften the appearance. The application demonstrated that three new dwellings could be accommodated on site without significant harm to visual amenity.

Members were reminded that the layout plan was only indicative. Plot 1 was shown as being approximately 30 metres from the main rear elevations of the frontage dwellings and 8 – 10 metres from the garden boundary. It was considered that a dwelling of appropriate scale could be accommodated in that location without harming the residential amenity of neighbours. The additional noise and disturbance from the increased use of the access would not be at a level that would harm the amenity of the neighbours, and noise from construction would be controlled to be during acceptable hours.

It was proposed to widen the existing access serving the land and existing dwelling to 6 metres at the frontage. The existing access to No. 45 would be closed and the parking area accessed off the widened access road; on plot parking would be provided for at least two vehicles. It was noted that the Local Highways Authority had no objections to the proposed access and its use was considered safe for the proposed development. Conditions would secure the provision of the wider gated access, parking and turning areas and visibility splays onto the High Street.

The Planning Manager said that it was considered that the site could accommodate three dwellings without causing harm to the three protected trees. There was sufficient space for boundary planting and further tree planting could be accommodated as part of the landscaping at the reserved matters stage. Conditions would ensure that adequate tree protection measures were in place ahead of development and that additional landscaping was provided.

The Committee noted that the biodiversity impact of the proposed scheme could be adequately mitigated by condition. The former use of the site as garden and paddock land suggested that there was unlikely to be contamination and any residual risk could be addressed via condition.

The County Archaeologist had observed that the site was within an area of high archaeological potential. There was no objection to the proposed development provided a scheme of archaeological investigation was agreed and implemented prior to the commencement of development.

In connection with waste collection, Members noted that a bin collection point would be provided. However, the location of the dwellings on Plots 2 and 3 would require occupiers to drag their bins considerably further than the 30 metres recommended by the County Council's RECAP Guidance. While this was not desirable, the limited number of dwellings

involved and the fact that the existing dwelling already on site was in a similar situation, meant that it was not considered to cause any significant harm in this case.

In weighing the benefits and adverse impacts on the tilted balance, as required under paragraph 11 of the National Planning Policy Framework, the limited visual harm was not considered to significantly and demonstrably outweigh the benefits associated with the provision of the additional dwellings. The application was therefore recommended for approval.

At the invitation of the Chairman, Mrs Rowena Berridge addressed the Committee and made the following points:

- The photograph of the access was incorrect because the access to No. 47 was hidden from view;
- She was speaking on behalf of neighbours in front of and to the south of the proposed site. All strongly objected to the application, as evidenced by the 27 letters to the Council. There had been no letters of support;
- Cheveley was in the south of the District and as the Council did not have a 5 year supply of land for housing, it left greenfield sites vulnerable;
- More suitable brownfield sites had been identified and they were all in various stages of development – about 1500 homes. They would provide affordable housing and satisfy the aims of the NPPF. In the Officer's report this did not merit even half a page but the adverse impacts covered 4 pages;
- The development would adversely harm the area and photographic evidence had been provided. The tree felling had resulted in a now barren street scene;
- The proposal would result in a loss of health and wellbeing and privacy;
- The properties to the east and south of ours on the High Street would be visually intrusive and highly visible;
- The access would be on a dangerous sloping bend and there were already problems with vehicles mounting the footpaths;
- Two applications adjacent to the site had been refused. The Planning Inspector had dismissed one appeal in the village for backland development saying that the development would compromise the sense of space and the openness of the area;
- This application site would be more visible. Members were urged to consider the Planning Inspector's comments and refuse the application.

At the invitation of the Chairman, Ms Amy Richardson, agent, addressed the Committee and made the following remarks:

- The tilted balance had been invoked and the application should be approved;
- Much had been made of the impact of the development, but the layout was indicative only. The scheme could be designed in a sympathetic manner;
- There was an existing lane leading to No. 47 and development already existed in the immediate vicinity;
- This would not be creating a backland development as the lane would be a focal point with the 3 dwellings facing onto it;
- The applicant wanted to allow purchasers to design their own dwellings and the Council would be fully in control at the reserved matters stage. There was plenty of space on the site so much could be done regarding orientation;
- There was support for the application on the basis that people want to purchase the plots;
- Most new developments did cause harm, but this one wouldn't. The main view would be No. 47 at the end of the lane and the protected Birch trees. Also the scheme would allow the benefit of parking for No. 47.

At the invitation of the Chairman, Mr Sav Patel addressed the Committee on behalf of Cheveley Parish Council and made the following comments:

- The Parish Council objected to the application. It was not against development in Cheveley, but it needed to be proportionate and there was concern regarding unplanned development. The Parish Council was preparing a Neighbourhood Plan to allocate suitable sites;
- The proposed scheme failed to help the verdant nature of the locale and it would urbanise the lane;
- Introducing a quantum of development in this back land would be out of character. The proposal would be a cul de sac type of development and would have a detrimental impact on those living near the site;
- It would be incongruous and out of character and the benefits would not outweigh the harm. It would set an unwanted precedent for the edge of the village and cause sprawl;
- The intensification of the access would impact residential amenity;
- There had been two recent refusals at No.47a. Reasons included significant and demonstrable harm to the setting, at odds with the prevailing pattern of development, and detrimental residential impact. These need to be taken into consideration when considering this application;

- An outline application at 18 Newmarket Road had been refused on the grounds that it was contrary to the linear character of the area and it was dismissed at appeal. The Planning Inspector considered it to be out of keeping, and in view of this Members were requested to overturn the Officer's recommendation.

Councillor Goldsack noted that Mr Patel did not serve on the Parish Council, and asked him to clarify his position. Mr Patel replied that the usual Councillor was not available to address the Committee and so he was here instead.

At the invitation of the Chairman, Councillor Mathew Shuter, a Ward Member for Cheveley, addressed the Committee and made the following remarks:

- He was supporting the Parish Council and a number of views;
- The level of development coming forward was unsustainable, with at least 15% growth in the last few years. The schools and GP surgeries were all full and there was no infrastructure;
- The scheme would bring no affordable housing benefits or do anything for sustainability;
- The Parish Council was not against the correct type of development, but this was garden grabbing and backland development;
- He contended that No. 47 had come about at a time when planning regulations were not in place;
- He could see no merit in this scheme and linear development should be kept in this linear village. Members were asked to consider rejecting the proposal.

Councillor Rouse did not consider the location to be open countryside. He said there was room for three dwellings and they should sit comfortably within the space. The application should be judged on its merits and here was a perfectly good site. He did not believe the scheme would harm the character of the village and he would support the recommendation for approval.

The Chairman agreed with Councillor Rouse. He felt this case proved how it was sometimes difficult for the Planning Committee and he could see the conundrum. If development followed the linear pattern, then this would create urban sprawl within the village. The application site did not sit completely in line with the built form but the principle of development was already established, as there were already dwellings to the rear.

Councillors Beckett and Goldsack also expressed their support, saying they could not see that the development would cause significant and demonstrable harm. They did not believe there were any planning considerations that would give weight to refusal.

It was proposed by Councillor Rouse and seconded by Councillor Cox 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 1 abstention.

It was resolved:

That planning application reference 18/01556/OUT be APPROVED subject to the recommended conditions as set out in the Officer's report.

There was a short comfort break at 4.23pm and the meeting reconvened at 4.30pm.

146. 18/01649/FUL – ASHBRIDGE FARM, FACTORY ROAD, BURWELL, CB25 0BN

Richard Fitzjohn, Senior Planning Officer presented a report (reference T241, previously circulated) which sought full planning permission for the erection of a detached single storey bungalow within the curtilage of the host dwelling known as Ashbridge Farm.

Members were asked to note an error in the first line of the reason for refusal; it should read '*The application site is located further west along **Factory Road** than the existing ...*'

The site was located outside the development envelope for Burwell. It was noted that a number of trees had recently been felled within and adjacent to the site. There was a large group of large mature trees adjacent to the west with no other built form in this direction for a very considerable distance. Full planning consent for three dwellings had recently been approved adjacent to the east of the site closer to the main settlement and a cluster of stable blocks with permission for residential conversion were located to the north-east.

The application had been called in to Planning Committee by Councillor David Brown.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the nearby planning history and a site plan of the proposal.

The main considerations in the determination of the application were:

- Principle of development;
- Character and appearance of the area;
- Residential amenity;
- Trees;
- Highway safety; and
- Archaeology.

The Senior Planning Officer reiterated that the Council was not currently able to demonstrate that it had an adequate five year supply of land for housing. Therefore, all local planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This meant that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweighed the benefits.

It was considered that as the site was located within close proximity to the established development framework for Burwell and was sufficiently connected to other housing and the rest of the village, the location was sustainable.

With regard to the character and appearance of the area, the proposed development would be located within a sensitive edge of settlement location. It would extend residential built form further west beyond the existing built form in a manner that would cause significant and demonstrable harm to the local rural landscape character and visual amenity of the area. By virtue of its location, the resultant encroachment would increase the sense of suburbanisation of the countryside to the detriment of local visual amenity. It would also appear cramped and contrived due to the narrow plot size which was out of keeping with the character of nearby dwellings.

Due to its single storey height and modest scale, the proposed dwelling would not cause any significant residential amenity impacts to the host dwelling. It would be located adjacent to the west side of Ashbridge Farm and the rear garden would be south facing. The plot size and amenity space would comply with the Council's Design Guide SPD and future occupiers would enjoy a high standard of amenity.

The Senior Planning Officer stated that a number of trees within and adjacent to the application site had already been felled, as they had no formal protection and did not require permission for works or felling. The Trees Officer had confirmed that the proposal was acceptable, subject to a tree protection condition. The loss of the trees was acceptable, although it contributed to harmful landscape impacts.

In terms of archaeology, the site was in an area of high archaeological potential. An archaeological investigation could be secured by planning condition.

There were no significant impacts in respect of highway safety, contamination, ecology or drainage.

Speaking of the planning balance, the Senior Planning Officer stated that the proposal would provide a very limited benefit to the District's housing supply. It would appear cramped and contrived and the degree of harm caused to the character and appearance of the area could not be resolved through mitigation. As a consequence, the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits and the application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Philip Kratz, agent, addressed the Committee and made the following remarks:

- The applicant had sought his counsel and he advised that as the Authority could not demonstrate a 5 year supply of housing land, he should make a full application, keeping it as modest as possible, the scale analogous to permitted development rights and honour, to the letter, the Council's Design Guide;
- The proposal was within the residential curtilage of the existing dwelling and it was intended that the existing tree screening would remain;
- He disagreed that it would cause significant demonstrable harm to the landscape because the scheme was surrounded by recently approved developments;
- The tilted balance required that the application should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole;
- The applicant would say that the landscape implications were not harmful and he struggled to understand where there was a problem with the design;
- There had been no letters of objection to the application, and he commended it to Members.

Councillor Rouse asked if the site was related to Ashbridge Farm and Mr Kratz replied that they were separate from one another, being on the other side of the road and adjacent. Councillor Rouse continued, saying that the scheme had the appearance of an afterthought and not a comprehensive development of the site.

Councillor Edwards commented that the dwellings that had been approved were on brownfield land. Mr Kratz responded saying that the applicant had nothing to gain, and the definition of brownfield was 'not on agricultural land'.

Referring to paragraph 5.6 of the Officer's report, the Chairman noted that the Trees Officer had no objections to the proposal but had raised concerns. The Senior Planning Officer said the Trees Officer had recommended a car port to protect cars, but he would not like to recommend that such a structure be added. He had discussed this with the Trees Officer, who had confirmed that he would not make it a requirement.

Councillor Goldsack enquired about the dimensions of the site and the Chairman stated that the black line on the layout plan was the site in its entirety; the Senior Planning Officer added that the application stated the site was 500 square metres.

Councillor Edwards proposed that the Officer's recommendation for refusal be supported and the Chairman made the point that a lack of debate did not mean that Members had not fully considered the application.

Councillor Beckett thought the site looked very small, but what was shown on the plan did not marry up with what Members saw on the site visit.

In response to a question from Councillor Hunt, the Senior Planning Officer confirmed that the 2 bedroom dwelling would occupy approximately $\frac{1}{3}$ of the site.

Councillor Cox said the floor plan seemed to be at variance; there was a mirror image that did not equate. The Chairman interjected to say that if one looked at it upside down, it went on to the block plan.

Councillor Rouse wondered why the line around the bungalow excluded the trees. His main concern was whether there was sufficient room to accommodate the scheme.

Councillor Hitchin said that the application site did not strike him as being cramped and contrived.

At this point, Councillor Hunt seconded Councillor Edwards' motion for refusal, which when put to the vote was declared carried; there were 9 votes for refusal and 1 against.

It was resolved:

That planning application reference 18/01649/FUL be REFUSED for the reason given in the Officer's report.

147. 18/01711/RMM- FORDHAM NURSERY AND GARDEN CENTRE, 41 MARKET STREET, FORDHAM, CB7 5LH

Barbara Greengrass, Planning Team Leader presented a report (reference T242, previously circulated) in respect of a reserved matters application which proposed the erection of 97 dwellings with public open space and shop (A1) comprising a retail sales area of 278 square metres with 20 parking spaces. The site comprised 4.82 hectares (11.9 acres) of the overall site area granted outline consent of 9.3 hectares.

It was noted that access to the site was determined as part of the outline permission and approved from Market Street/Soham Road and Station Road.

Members were asked to note an error in paragraph 2.5 of the Officer's report. The correct version should read '5 x 3 bed houses'.

The Scotsdales site as a whole extended to approximately 13.20 hectares (32.62 acres) of land and currently comprised a horticultural nursery and operational garden centre; these were to be retained. The majority of the application site was located outside the development envelope but adjoined it in places on its eastern boundary. The northern and western boundaries were marked by existing tree lines and there were areas

of scrub and vegetation together with defined tree lines and protected trees on the site.

Members noted that the application had been called in to Planning Committee by Councillor Joshua Schumann.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, layout of the proposal, house types and elevations.

The main considerations in the determination of the application were:

- Visual impact and layout;
- Housing mix and density;
- Public open space, landscaping;
- Access and parking;
- Residential amenity; and
- Foul & surface water drainage.

The visual impact of developing the site for these uses would have been accepted in principle at the outline stage.

It was accepted that the scheme would alter the appearance of the site and the presence of two storey development along with the associated infrastructure would have an urbanising effect on the immediate locality. The proposal would have some wider reaching effects on the landscape, however, these would be tempered by the existing and proposed landscape buffers on the northern and western edges of the site. Beyond the site the effects would be localised and have a minor adverse significance on the immediate surrounding landscape.

Members noted that the application had been amended to include a greater mix and variety of materials and to ensure a sympathetic edge along the western and northern boundaries. The retail building had also been redesigned to be a less dominant structure by breaking up the mass with differing roof heights and projections. The developer had had due regard to the constraints of the site and the desire to retain as many of the existing landscape features surrounding the site as possible.

Predominantly terraced and semi-detached dwellings were proposed along the spine roads and the centre of the site, with detached dwellings proposed to the boundaries to break up the mass. Dwellings fronted the open spaces and feature double fronted houses were at key junctions and viewpoints within the development and to allow overlooking of public spaces.

The combination of these design concepts allowed for varied and interesting spaces to create a sense of place to the overall development. It was therefore considered that the proposal reflected the key good design qualities as outlined in the NPPF.

Members' attention was drawn to the slide which illustrated the layout of the site, and in particular, the siting of the affordable housing. It was noted

that the affordable dwellings would be spread between the blocks on the development. The Planning Team Leader said that the application proposed 97 dwellings, 29 of which were affordable. This equated to 30% and was in accord with the outline planning permission and had been secured by a Section 106 Agreement. The housing mix and density was considered acceptable and was broadly in line with policy as it respected the local area.

The amount of public open space accorded with the Developer Contributions SPD, with the main space at the site frontage, a smaller area to the north west and the landscaped link from this phase of development to the land further south. The buffer strip to the west would be privately managed.

It was noted that the outline consent had allowed for the removal of a Beech tree covered by a Tree Preservation Order and a replacement Oak tree was to be planted in its place at the site entrance. The Trees Officer was satisfied with the buffer planting and the planting scheme across the site.

Turning next to access and parking, the Planning Team Leader reminded the Committee that the access to the site had already been agreed at the outline stage. Planning permission had also recently been granted for a separate access to the care home site to the north of the site and this was preferable to having care home traffic through this residential area. Nevertheless a vehicular link was shown within the layout to the rear of the retail unit should it be necessary to access that land in the future.

Amendments had been made to the layout plan to incorporate more visitor's parking spaces in appropriate places and to reduce the level of tandem parking on plots. 20 visitor's spaces were provided and 50% of the dwellings were served by tandem parking. Based on the consultation responses from County Highways, who were now satisfied with the amendments made, it was considered that the layout demonstrated a safe and accessible environment, allowing sufficient parking, manoeuvring and visitor parking provision.

In terms of residential amenity, the residents impacted by the development were to the east of the site access and to the south of the new open space area. There would be some disturbance from the additional vehicles using the site entrance, although the principle had already been established. It was also likely that there would be an element of noise and disturbance experienced by the neighbouring residents from the comings and goings to the shop. This principle too had already been established, but the levels of disturbance would be controlled as the outline permission contained a condition to restrict opening hours and delivery times.

Anglian Water was now satisfied that the foul water drainage scheme was acceptable and had been agreed in principle. There would be a pumped conveyance connecting to the sewer via an extended length of gravity pipework so that the discharge could be reduced to an acceptable flow rate.

The Lead Local Flood Authority had initially objected to the scheme, but amendments received had overcome their objection.

In connection with other material matters, it was noted that the landscape scheme would contribute to biodiversity gain; the Waste

Management Plan was acceptable, and the Energy Assessment report complied with ENV 4. The application was therefore recommended for approval.

With the permission of the Chairman, the Democratic Services Officer read out a statement on behalf of Mr Gordon Bain who had registered to speak at the meeting but was now unable to attend due to ill health:

'Statement of Objection from Mr Gordon Bain:

Issues for consideration – the design of the roundabout, within the confines of the design, does not accommodate with safety the manoeuvrability of current heavy duty traffic, whether by volume or weight on load bearing axels. The efficiency of the surfaces therefore deteriorate at a quicker rate – an unnecessary risk, with costs borne by the taxpayer. The design may fit a policy dictated by the Council, however, policy is unpredictable, the circumstances are not.

On the land available to the west, widen north and south carriageways. Design to accept the introduction of an access roadway to an intended 'care home'. To the south, similarly consider Market Street to an extent of about 100 yards.

HGVs will access the development; consider the risk, surface damage or excessive wear. Preventative measures are not apparent. There will be an increase in air pollution. It will be concentrated and will circulate within feet of visiting and residential populace. An impact consideration is not available for corporate facilities.

Local detectable effect – the roundabout design perceived is poor with surface, kerb line and verge damage in the past and probable preventable future disasters will continue. Costly repair to be borne by the public purse. This is an opportunity missed. The Committee is urged to consider reassessing the design.

HGV access within the development permits an extension of corporate Fordham. Planning must weigh this exposure against the stylistic context or scale of locality.

Road ownership, accompanying responsibility between private, public or corporates, must be clearly defined.

Outdated environment reports must be reassessed and updated. The original submission dates, in some cases, 2 years. They should now reach towards change from original years.

Police observations – nowhere are their primary objects matched; the impact or size of residential & corporate facilities and security measures are not advanced. Specialist front line officers are not party to the short report. Nothing summarises Fordham the village, our neighbours in Isleham, Soham, Chippenham, Snailwell & Burwell – a combination or projection to a substantial rise in population. The consequence on policing determines services to the public.

The schedule for building – in the south phase, the current earth movement causes air pollution, circulating dust particles. This impacts on the existing village populace and property a few feet away. Disturbance and wind-blown dust is extensive and invasive and appears on our doorstep, no matter how tight windows are shut.

There has been no consideration for the protection of seasonal breeding or migratory habits of bird or animal life. Hedgerows, existing shrubs and/or trees and ground nesting sites are not protected – a now to be bygone historic meadow land sanctuary.

Flooding requires further assessment. The latest design plan shows the north western flank as an open drain (a swale). Next, working pumps set into bore holes are part of an artesian water source which 24/7 feeds open nursery land at corporate Fordham, with excess floods to the open drain. Sudden downpours create substantial flood and flow direction. Consideration of the risk should be reassessed.

Mr Bain concludes by asking that consideration be given to his observation and suggestions.'

At the invitation of the Chairman, Ms Chloe Houston addressed the Committee on behalf of the applicant and made the following points:

- She was a Development Manager at Hill and was proud to have submitted this joint application with Scotsdales;
- The proposals were fully policy compliant and would deliver much needed housing for the area;
- Hill had a reputation for designing and delivering quality developments, both nationally and locally. They had a 5 star rating for customer satisfaction with the Home Builders Federation;
- The scheme's design had been carefully considered to ensure the creation of a place where people wanted to live, whilst also providing functionality and efficiency to help meet the Council's housing targets;
- The affordable dwellings were located within three areas on the layout. They were integrated with the market housing, which would make it easier for the affordable providers to manage them. They would be built with the same materials as the market dwellings, making the scheme consistent;
- The scheme delivered 21 dwellings per hectare, which was low but appropriate for an edge of settlement location. Delivery of the scheme would help address housing need locally and within the wider District;
- The character of the development would be established through the introduction of a tree lined avenue and a large area of public open space at the site entrance. The open space benefitted from a public walkway and encouraged play through the provision of play equipment;
- The proposed shop would foster local jobs and create a hub for activity and there would be a direct link to the garden centre;
- The buffer strip would bring a biodiversity gain;
- Tandem parking had only been used where legibility was a key influencer to the design. They had worked with the Case Officer to increase the provision of side by side bays, and 50% of the properties would benefit from this arrangement;

- They had worked in partnership with the Council and the relevant statutory consultees on this site and they had fully satisfied the consultees with their proposals;
- Extensive archaeological work had been undertaken on the site and there had been public engagement by hosting an archaeological open day. The County Archaeologist was satisfied with the work undertaken;
- They believed that the proposals would deliver much needed new housing, including a mix of dwellings, and if the Committee was minded to approve the application today, it was anticipated the first occupation would take place in mid- 2020.

Councillor Goldsack enquired about the number of affordable apartments above the shop and was told that there would be 6 of them. In response to a further question, Ms Houston confirmed that the access shown on the plan to the location of the care home could be used as a secondary access, in addition to the access from the main road.

Councillor Beckett stated it was nice to see a mix of houses, including smaller units and asked if the mix of housing would be affordable for first time buyers and whether the developer would be trying to keep down building costs. Ms Houston replied that there would be a standard square meterage rate and while Hill wanted to keep costs to the minimum, they also wanted to ensure that the quality was there.

Councillor Hunt commented that the Parish Council was concerned that the affordable housing should be intermingled on the site. They felt it would be better to have it fully integrated and he wondered if consideration had been given to mixing it up more. Ms Houston said the affordable housing was being accessed from two places and the providers preferred to have clusters.

The Chairman offered sincere thanks to Hill, saying that he appreciated having a developer who worked with the Council.

Councillor Beckett noted the mention of a swale in the Officer's report and when told that it would go to a gravity control, he requested that this be double checked. The Planning Manager said there had been a condition regarding drainage on the outline permission and the details would have to be discharged.

Councillor Goldsack said he had been speaking to local Members and they were all delighted to see this quality development coming forward. Fordham had its full Neighbourhood Plan and this size of development showed the amount of work that had gone into it. He duly proposed that the Officer's recommendation for approval be supported.

The motion was seconded by Councillor Rouse and when put to the vote,

It was resolved unanimously:

That planning application reference 18/01711/RMM be APPROVED subject to the recommended conditions as set out in the Officer's report.

148. PLANNING PERFORMANCE REPORT – FEBRUARY 2019

The Planning Manager presented a report (T243, previously circulated) which summarised the planning performance figures for February 2019.

The Department had received a total of 162 applications during February 2019 which was a 12% increase on February 2018 (145) and a 17% decrease from January 2019 (196).

The Planning Manager said she was aware that the results for DIS/NMA were down, but this was due to the number of applications coming in and caseloads were quite high at present. She had asked Officers to focus on DIS/NMA and it was now included in their appraisals.

With regard to staffing, Members noted that Gemma Driver, Planning Assistant, was now in post and Rachael Forbes, Planning Officer, would join the Department on 25th April. Steve Harrison, Enforcement Officer, had left the Authority and interviews for his replacement would take place next week.

Councillor Goldsack said it would be useful for Members to know the costs of appeals and the Planning Manager said she would pull together the information and circulate it to them. She added that she would support Members where their decisions were reasonable, but they had to make sure they had grounds for going against the Officer recommendation.

Councillor Edwards thanked the Planning Manager and Barbara Greengrass, Planning Team Leader, for all their work in connection with the Toyse Lane, Burwell appeal.

Councillor Beckett remarked that costs were not a material planning consideration, and if Members were going to refuse an application, they needed to do so on solid grounds. The Planning Manager agreed, saying that it was sometimes better to have just one strong reason for refusal. She continued, saying she had noted the high attendance levels at the Burwell appeals and felt that consideration should be given to holding future appeals in the settlement to which they related. Whereupon,

It was resolved:

That the Planning Performance Report for February 2019 be noted.

The meeting closed at 5.35pm.