



EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday, 7<sup>th</sup> August 2019 at 2.00pm.

**P R E S E N T**

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

**OFFICERS**

Maggie Camp – Legal Services Manager  
Barbara Greengrass – Planning Team Leader  
Richard Fitzjohn – Senior Planning Officer  
Anne James – Planning Consultant  
Catherine Looper – Planning Officer  
Janis Murfet – Democratic Services Officer  
Andrew Phillips – Planning Team Leader  
Rebecca Saunt – Planning Manager  
Russell Wignall – Legal Assistant

**IN ATTENDANCE**

Cllr Alan Sharp  
Cllr Amy Starkey  
Approximately 30 members of the public

*Prior to the formal commencement of business, the Chairman informed those members of the public present that they were welcome to film or record the proceedings. However, if there was any disruption he would stop the meeting.*

**16. APOLOGIES AND SUBSTITUTIONS**

An apology for absence was received from Cllr Lisa Stubbs.

It was noted that Cllr Huffer would substitute for Cllr Stubbs for the duration of the meeting.

It was further noted that Cllr Schumann would be joining the meeting very shortly.

**17. DECLARATIONS OF INTEREST**

The Chairman declared a prejudicial interest in Agenda Item 8 (19/00479/FUL, Plot 1, Land to Rear of 17 Short Road, Stretham), saying that he had already expressed his opposition to the application. He said he would vacate the Chair for this item but would exercise his right to address the Committee in his capacity as a Ward Member and then leave the Chamber.

The Planning Manager declared an interest in Agenda Item 8, as the application site was adjacent to her parent's house. She said that she would leave the Chamber prior to consideration of the item.

**18. MINUTES**

It was resolved:

That the Minutes of the meeting held on 12<sup>th</sup> June 2019 be confirmed as a correct record and signed by the Chairman.

**19. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that Cllr D Ambrose Smith had replaced Cllr D Schumann as a Substitute Member on the Planning Committee.

*Cllr J Schumann joined the meeting at 2.05pm.*

**20. 18/01303/FUL – GOSLING COTTAGE, 165 THE STREET, KIRTLING**

Anne James, Planning Consultant, presented a report (U44, previously circulated) which sought consent to demolish the existing cottage and outbuildings and erect 6 dwellings together with associated cartlodge/outbuildings, parking and access points on land at 165 The Street.

A number of amendments had been made to the scheme during the course of the application, reducing the number of dwellings from 10 to 6. Paragraph 2.3 of the Officer's report set out the proposed mix of accommodation.

The site comprised an irregular strip of land which was located to the south west of Kirtling village in the south of the District. It was long and narrow, measuring approximately 310 metres deep and benefitting from a 52

metre wide street frontage although this reduced in width further into the site. It was enclosed by trees and hedging on all its common boundaries with an established linear row of housing to the north east.

The first 62 metres in depth of the site lay within the development envelope of Kirtling, and Public Right of Way No. 25 ran in part, parallel along the southern boundary for much of the entire depth of the site.

It was noted that the application had been called in to Planning Committee by former District Cllr Peter Cresswell.

A number of illustrations were displayed at the meeting, including a map, aerial view, photographs of the site and its surroundings, block plan, a computer generated view of the street, and elevations.

The main considerations in the determination of the applications were:

- Principle of Development;
- Residential Amenity;
- Visual amenity;
- Highway and parking;
- Biodiversity and Ecology
- Flooding & Drainage;
- Historic environment;
- Other matters; and
  
- Planning balance.

As the Authority was currently unable to demonstrate a 5 year supply of land for housing, local planning policies relating to the supply of housing had to be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development unless any adverse effects of the development significantly and demonstrably outweighed the benefits.

The site was located between existing development and benefitted from a significant depth, two thirds of which would remain undeveloped. The majority of the scheme would be within the development envelope, with only two properties outside this area. The applicant had demonstrated that there were material planning considerations that justified a countryside location, in particular the recent development of three dwellings to the south of the site, which were outside of the development envelope. This site was clearly visible when entering and leaving the village whereas the proposal would have only limited impact on the streetscene in The Street.

Given the spatial relationship with adjoining properties there would be no detrimental impact on residential amenity to either existing or future

occupiers. Both access and parking and issues relating to biodiversity, trees, flooding and drainage were considered acceptable.

In terms of residential amenity, it was noted that only two properties were materially affected by the scheme and they were located either side of No.165. No.159 was a bungalow with a drive abutting the northern boundary; the separation distance between the new dwelling closest to the flank wall of No.159 would be 16 metres. To the right hand side was No.169 The Street, a two storey detached dwelling with a garage located to the side. There would be a separation distance of approximately 20 metres between the rear wall of Plot 4 and the flank wall of No.169. No other dwellings would be materially affected by the scheme.

The Planning Consultant said that due to the heavy screen of trees and shrubs on the northern, eastern and western boundaries, and combined with its mid-street frontage, the scheme would not be clearly visible when entering or leaving Kirtling. There was an acceptable spatial relationship with adjoining properties as well as a sufficient setting back of the development from the footpath to ensure that the proposal would not tower over the existing dwellings. While the proposed development would alter the character and appearance of the site itself and its immediate environments, it was not considered that there would be a harmful impact on the character of the area.

On a point of housekeeping, the Planning Consultant said that bearing in mind the Public Rights of Way Officer had suggested post and rail fencing along the southern boundary, she had revisited Condition 9 and suggested adding '*and retained unless otherwise agreed in writing by the Local Planning Authority*'. This would ensure the openness of the Public Right of Way here.

As the majority of the site was within the established settlement boundary, it was considered that future residents would be able to access the limited goods and services and public transport on offer in the village both on foot and by bicycle. However, given the rural nature of the village, it was acknowledged that to a certain extent they would be reliant upon the private motor vehicle to access places of work and schools.

Members were reminded that a number of concerns had been raised regarding the site's proximity to a bend in the road. However, the Local Highways Authority (LHA) had not identified a risk to highway and pedestrian safety, and the majority of the development would be using an existing access which was to be widened. As such, the proposed access was considered to still be suitable. A new vehicular crossover would be installed to the south to serve Plot 1 and residents would be able to enter and leave the site in a forward gear.

With regard to biodiversity and ecology, it was noted that the site did not support protected species but might be used for feeding and commuting purposes. The Ecology Assessment recommended a number of enhancements to encourage biodiversity across the site and these could be dealt with by condition.

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The development would result in the removal of a number of trees, but as they were relatively small there would be opportunities for replanting within the site.

There was no Conservation Area in Kirtling but there were a number of Listed Buildings within the village; it was considered that they would not be affected by the proposal. The County Archaeologist had commented that the area had no archaeological investigation history. The County Council would not object to the development provided a programme of archaeological investigation was secured by condition.

Other material matters such as ground contamination, flooding and drainage, waste and energy efficiency could all be addressed by condition.

Speaking of the planning balance, the Planning Consultant said the scheme would contribute to the housing land supply and there would be an economic benefit in terms of the construction of the development. It would not significantly intrude outside of the development envelope to have a harmful impact on the visual amenities and character of the area.

It was considered that the benefits of the scheme would significantly and demonstrably outweigh the adverse impacts when assessed against the policies in the National Planning Policy Framework (NPPF) and it was therefore recommended for approval.

At the invitation of the Chairman, Mesdames Jen Milner and Tracey Button addressed the Committee and made the following points:

### Mrs Button:

- They were here to represent the residents of the village;
- Kirtling was a linear development and this scheme represented backland development. It was contrary to the linear pattern of development and would look out of place;
- It resembled a development that had been refused permission and dismissed at appeal;
- There would be an adverse impact on the amenity of people using the public footpath. Everyone should be more environmentally aware;
- There were concerns regarding access for emergency vehicles;
- They were not against development but were concerned that some of the approvals did not appear to be consistent;
- Aware that the Council did not have a 5 year supply of land for housing. However, 30 responses had been received in objection to this application;

Mrs Milner:

- She lived opposite the proposed site and it would affect the setting of her property, which was a listed building;
- ECDC had said the development should be subservient, but it would be overbearing. There should be some consistency in planning approvals, as the application adjacent to her property was only approved once it had been reduced to a 1½ storey dwelling;
- The height of the buildings proposed on the site would be out of keeping, as would the 10 -11 metre ridge heights;
- The layout would encroach on and deviate from the built form;
- Garages to the front of properties were not allowed;
- There were too many houses. The size and scale of the development would detract from the village.

At the invitation of the Chairman, Mr Peter North, agent, addressed the Committee and made the following points:

- This application was over two years in the making;
- Pre-application advice had been sought and they had worked with the Local Authority and consultees and now the proposal was supported by the Officer. There had been no objections from statutory consultees;
- National policy supported sustainable development and the report highlights the public benefits. This scheme would provide six additional dwellings, which could attract families and in turn, help to improve the vitality of the village;
- The development would be liable for Community Infrastructure Levy (CIL);
- The Parish Council had no objections to the other nearby development for 3 dwellings, which was outside of the development envelope;
- A development in a prominent location had already been approved, this one would be well screened and two thirds of the site would be in the development envelope;
- Development is generally linear, but there are some cul de sacs on the east side of the road;
- There are a number of existing outbuildings on the site;

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- There were already a number of buildings outside the development envelope. This was a sustainable development which would respect the rural vernacular;
- The Highways Officer had no objections, subject to standard conditions and there was good visibility and safe access;
- The scheme would increase the housing supply and provide homes for families;
- It had been assessed and evaluated against local and national policy and found to be acceptable and the benefits significantly outweigh any impacts.

At the invitation of the Chairman, Parish Councillor Rick Rickcord addressed the Committee and made the following comments:

- He was representing Kirtling and Upend;
- The Parish Council was always consulted, but was increasingly concerned about inconsistent decisions and they strongly objected to this application;
- Kirtling was a very small linear village with low density housing, and 25 additional houses had been granted permission, in the form of small scale developments. This was in keeping with the Local Plan submission;
- This application was a significant deviation and totally at odds with the built form of the village. Three houses were outside the development envelope and the density of the scheme was different to elsewhere in the village;
- This application had been reduced in size to 6 houses, in an area of less than an acre. How had it been considered differently;
- 7 houses at Charing Cross had been refused both at Committee and at Appeal, the Inspector stating that they were '*...incongruous ... contrary to the built form ...*' This application should be refused on the same grounds;
- Only three cul de sacs in the village and all of these are 2 houses deep, not 4 houses deep;
- There was no shop, no school, or play equipment in the village. The scheme was not sustainable and had generated a lot of public interest and opposition.

At the invitation of the Chairman, Councillor Alan Sharp, a Ward Member for Woodditton, addressed the Committee and made the following remarks:

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- He was also speaking on behalf of his fellow Ward Member, Councillor Amy Starkey;
- A number of applications had been refused and dismissed at appeal for not being in keeping with the linear form of the village;
- Members would have seen from their site visit just how far building would go back beyond the neighbours;
- There was a need for development, but he thought the site was overdeveloped and it was very overgrown. The site goes a long way back;
- He did not think the site satisfied the NPPF definition of 'sustainable';
- There was a chronic lack of supply of housing land as developers appeared to be sitting on the land for which the Council had given permissions but people were not building;
- He reiterated that he was not against the principle of development. He thought 4 houses rather than 6, would be better, and as only part of the land was being used, he hoped there would be no further development to the rear.

In response to a question from Councillor Schumann regarding the Inspector's decision to dismiss an appeal, the Planning Consultant said that it was over the road from this site; this one was mid streetscene. The Planning Manager added that at the time of the refusal, the Authority had a 5 year supply of housing land; the cul de sacs were on the east side and there was already built form on the site, so there were material differences to the appeal site.

Councillor Downey expressed concern about the sustainability of the scheme, given the limited school places and transport. The Planning Consultant acknowledged that Kirtling was not as locational sustainable as other places, but policy tried to reinvigorate villages. Development could encourage families and with this, services might improve.

Councillor Trapp thought the scheme looked rather large. The Planning Consultant replied that it was important to take a balanced approach; most of the development was within the envelope and 3 recently permitted dwellings which were under construction near to the site were completely outside the development envelope.

Councillor Wilson wished to know how far back the derelict barns were located and was advised that they were all around the site. There were 7 or 8 in total and they were all in a derelict condition.

Councillor Ambrose Smith commented that a lot of people wanted to work from home and the proposed 6 bed houses could incorporate work space.

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Councillor Trapp said his main objection to the proposal was that Kirtling was a linear village and he could see the problems in extending its footprint. Four houses might be acceptable, but the proposed design was not in keeping.

It was proposed by Councillor Edwards and seconded by Councillor Downey that the Officer's recommendation for approval be supported on the grounds that the development would not be over-dense and the Authority would gain 5 additional dwellings.

When put to the vote, the motion was declared defeated, there being 5 votes for approval and 6 votes against.

In proposing that the Officer's recommendation be rejected, Councillor Schumann said this was a finely balanced application but he believed it would potentially be harmful and could cause detrimental damage to the character of the village. There were some small cul de sacs on this part of the road and others had been approved, but they were not as in depth as this proposal and the two properties at the end of the site are an encroachment. The outbuildings on the site were not development and he would encourage the applicant to come forward with something more in keeping and to look at four dwellings. The motion for refusal was seconded by Councillor Trapp.

Councillor Wilson declared himself to be nervous about the reasons for refusal, as he could not see any reason to go against the Officer recommendation. Councillor Schumann replied that his comments were based on NPPF grounds, namely that the development was contrary to the built form and its impact on the open countryside.

When put to the vote, the motion for refusal was declared carried, there being 6 votes for refusal and 5 votes against. Whereupon,

It was resolved:

That planning application reference 18/01303/FUL be REFUSED for the following reasons:

- The development is contrary to the built form; and
- It will have a detrimental impact on the open countryside, due to the scale and mass, particularly Plots 5 and 6.

**21. 18/01435/OUM – SITE EAST OF CLARE HOUSE STABLES, STETCHWORTH ROAD, DULLINGHAM**

Andrew Phillips, Planning Team Leader, presented a report (reference U45, previously circulated) from which Members were asked to consider an outline application for up to 41 dwellings, with public open space and associated infrastructure. In addition, the developer was proposing a B1 and D1 use space.

*(Councillor Downey left the Chamber at 2.55pm and returned at 2.57pm.)*

The only detail for which agreement was being sought at this stage was the access onto Stetchworth Road; all other matters were reserved. The application had been amended several times and additional information was provided to overcome the concerns listed in paragraph 2.2 of the Officer's report.

Members were asked to note the following updates in respect of the application:

- The comments from Councillor Starkey were joint comments with Councillor Sharp;
- In paragraph 7.23, the reference to 3 bedroom affordable housing should read 4 dwellings, not 8. The S106 Agreement would ensure 30% affordable housing; and
- The Public Right of Way contribution would be negotiated as part of the S106.

The site was located outside of the village framework on a slope that rose to the north and it was currently used as paddock/grazing land. To the south of the site was the public highway and a drainage ditch. Residential cul de sacs were located to the south-east and the existing stables were to the west of the site. The Kettlefields primary school was to the north-east and the Grade 1 Listed Church, (St Mary's) was located to the south.

It was noted that the application had been called in to Committee by former District Councillor Chris Morris, due to the concerns raised by the Parish Council.

A number of illustrations were displayed at the meeting, including a map, aerial view, the access road plan, the indicative 'Gold Standard' Ecology layout, and an indicative Masterplan.

The main considerations in the determination of the applications were:

- Principle of Development;
- Housing Mix;
- Economic Sustainability;
- Residential Amenity;
- Visual Impact;
- Historic Environment;
- Highways and Parking;

- Ecology;
- Flood Risk and Drainage; and
- Infrastructure/S106/CIL.

Members noted that the Council could only demonstrate 3.7 years of housing supply and therefore any policy that restricted housing had to be carefully judged on the grounds of tilted balance as covered in paragraph 11 of the NPPF.

The proposal was a mixed use development in close proximity to the village; it was considered to be in a relatively sustainable location and would provide much needed housing.

The Planning Team Leader reminded Members that at this stage the housing mix was only indicative. The proposal was seeking to provide a large proportion of the dwellings to be bungalows, and half of these to be for the over 55's.

Policy HOU3 required affordable housing in Dullingham to be at least 40%, but 30% affordable housing was accepted as the viable provision in this settlement, due to an independent report on behalf of ECDC. This would be secured as part of the S106. The over 55 bungalows were currently being controlled by condition, though this might end being included in the S106 Agreement

With regard to economic sustainability, it was acknowledged and accepted that the horse racing industry (HRI) was of great importance within the District and was supported in adopted policy. The proposal would lead to the loss of approximately  $\frac{1}{3}$  of the paddock land of Clare House Stables. This would likely reduce the economic potential for the stables and would reduce the maximum number of horses that the stables would be likely to be able to keep. However, sufficient land remained for a stable business to be productive and it was considered that the proposal would cause only minor to moderate harm to the existing paddock/stables of Clare House Stables.

It was noted that the Newmarket horse racing industry had grown even with this site being out of intensive use since 2008. While the proposal was in some conflict with Policy EMP6, it could not be considered to lead to an adverse impact upon the stables as the remainder of the site could still be put to practical use and benefit the equine industry. The public benefit in providing much needed housing, including affordable housing, was considered to outweigh the level of harm to the existing stable/equine use.

The proposed B1a and D1 uses were considered to comply with policies EMP3 and COM4 of the adopted Local Plan

Speaking of residential amenity, the Planning Team Leader reiterated that scale was not part of this outline consent. A design could be achieved at the Reserved Matters stage that preserved and protected residential amenity.

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Conditions could be added in connection with potential contamination and requiring the developer to submit a Construction Environmental Management Plan.

The gross density of the site was approximately 7.3 dwellings per hectare or 3 dwellings per acre and net density to be approximately 14 dwellings per hectare or 5 – 6 dwellings per acre; this was considered to be very low but appropriate for an edge of village location. The surrounding area benefitted from several cul-de-sacs and the development would be visually contained within the nearby built form. The proposal would need to preserve the character of the Public Rights of Way as it was considered that the scheme would have an urbanising impact although it would maintain large areas of public open space. This would allow green fingers to remain within the development and connect to the public footpaths. In order to achieve a suitable design, the number of dwellings might need to be reduced in any reserved matters submission.

The proposal was adjacent to the Conservation Area and the views of the tower of the Grade 1 Listed Building of St Mary's Church were considered to be of significant importance. The layout, scale and appearance of the scheme would require careful design to ensure less than substantial harm at the Reserved Matters stage and each matter would need to be supported by a Heritage Statement. The dwellings to the north of the site would very likely need to keep a low ridge height. It was also expected that the affordable housing should be tenure blind.

The Local Highways Authority and the Transport Team had no objections to the proposal, subject to conditions. It was expected that there would be at least two parking spaces per dwelling and sufficient visitor spaces; in addition each dwelling should include space for secure cycle storage. It was considered that the relatively low number of dwellings would have any significant impact upon traffic flow.

The Committee noted that the developer had not undertaken all the necessary ecological surveys but was mitigating and enhancing on all potential biodiversity. This was known as the 'Gold Standard' and required a far greater level of mitigation and enhancement than might have been needed if all the relevant surveys had been conducted upfront. It was also fundamental to allow species to safely transverse the site. Indicative landscape plans had also submitted and these could be conditioned.

The latest documents submitted by the applicant had been accepted by the Lead Local Flood Authority (LLFA), subject to the following recommended conditions: provision of a pond, permeable paving in certain areas of the site, and swales and attenuation tanks to ensure the surface water was managed. The indicative site layout showed that it was possible to keep the proposed development outside of the area at risk of flooding, as well as ensuring the more vulnerable users were kept on the higher levels.

In connection with infrastructure and S106, it was noted that Anglian Water had confirmed capacity in the sewer network to accommodate and treat

the development's foul water. A condition would be attached to ensure appropriate connection.

The developer and County Council were in agreement regarding the level of contribution (£256,663 plus indexation) needed for secondary school provision; the developer had offered land for Kettlesfield Primary School, but the County Council did not need it. Therefore no planning weight should be given to its provision.

The S106 would need to include long term management of public open space and water management, and also secure the provision of affordable housing.

The developer was required to pay the Community Infrastructure Levy (CIL); paragraph 7.102 of the Officer's report detailed items on the Council's Regulation 123 list for which the money could be used. In addition the Parish would receive 15% of any CIL money collected from the development to improve its local infrastructure.

The Planning Team Leader concluded his presentation by saying that the proposal was considered to be acceptable, subject to the recommended conditions and the completion of a S106. There would be minor to moderate harm to the equine industry and drainage and ecology would be improved within the local area. The public benefits outweighed the harm and the application was therefore recommended for approval.

At the invitation of the Chairman, Ms Sarah Mardon addressed the Committee and made the following remarks:

- She was speaking on behalf of the village;
- Up to 2015 there had been 308 houses plus infill. With the loss of the Local Plan there had been 10 houses completed and 6 infill properties as well as 27 other dwellings being discussed, representing an increase of 13%. This development would see that rise by another 25% and the village and its infrastructure could not take the increase;
- The Kings Head junction was dangerous and with the level of traffic using Station Road, there would be traffic jams;
- The trains to Cambridge from Dullingham are normally full and it would be a 35 minute walk from the development to the station. Alternative routes were not viable between 8.30am and 9.00am because of people taking children to school. The nursery staff parked at the Ellesmere centre;
- Buses were virtually non-existent;

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- The site did not satisfy the criteria for infill as it was outside the development envelope and it would change the character and setting of the village;
- The site was a stud and had the potential for full animal related use. Building on it would change this and the Newmarket Horseman's Group felt that it should be marketed as an equine enterprise, as the site has been moth balled;
- Stetchworth Road already suffered from serious flooding, with polluted water ending up in gardens and there was not sufficient capacity to deal with the sewerage;
- The residents of Dullingham felt very strongly about this application and this was evident from the number of objections received.

At the invitation of the Chairman, Mrs Kathryn Slater, agent, addressed the Committee and made the following points:

- The proposal would deliver up to 41 homes and community space;
- The site was outside the development framework, but the Authority could not currently demonstrate a 5 year supply of land for housing;
- There would be no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal
- Dullingham was a medium sized village and had a school, a train station and was close to other settlements;
- The development site was adjacent to the village framework;
- EMP6 was relevant and set out the Council's approach, but it did not impose a blanket ban. A Horse Racing Industry assessment had been submitted and it concluded that the proposal would have no impact on the industry;
- All the stables and the access were to be retained and the remaining land was large enough for horse racing activities;
- The horse racing industry had increased during the time the application site was not in use and therefore the proposal would not threaten its viability;
- There had been no objections from the statutory consultees;
- The scheme would bring substantial benefits including housing for the over 55's, market and affordable housing and provision for small businesses or the community use building as well as biodiversity enhancements to the site. The balance in favour of approval had been

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triggered and Members were urged to accept the Officer's recommendation.

Mrs Slater then responded to comments and questions from the Committee.

Councillor Brown asked if there had been any effort to market the site for use in the HRI. Mrs Slater replied that it had not and there was no requirement within the policy to do so. Councillor Brown then asked about the plans for the parcel of land that had been offered to the County Council and was informed that there were no proposals and would remain undeveloped.

Councillor Trapp noted that it was proposed to have 250 square metres of commercial units and he wondered to what use they might be put. Mrs Slater said it could be for offices or community use, but there was some flexibility.

Referring to Policy EMP6, Councillor Schumann said that with the Newmarket racing industry being so vast, it was unlikely that the loss of this stud would have an impact. However, its loss might lead to the loss of other small studs, which could then lead to an impact. Mrs Slater replied that the Policy was in two parts and it was necessary to look at each site on this basis. There would be sufficient land retained in the future for it to be used in the racing industry and there was no talk of subsequent loss. There was a whole range of sizes of studs and evidence suggested that a use could be found for this one.

Councillor Huffer enquired about the current use of the site and Mrs Slater replied that it was in private equine use. Councillor Huffer contended that the remaining 10 hectares would support only 12 – 15 horses and that the stud would need 20 -25 horses for it to be viable. Mrs Slater reminded her that the evidence had been assessed by Officers.

At the invitation of the Chairman, Ms Samantha Boyd addressed the Committee and made the following comments:

- She was an Associate Planner and was speaking on behalf of Dullingham Parish Council;
- The Parish Council had objected on numerous occasions;
- It was accepted that the Council did not have a 5 year land supply, but the NPPF advised that applications should not be approved if the adverse impacts significantly and demonstrably outweighed the benefits;
- The Local Plan said that Dullingham was likely to grow at a slow rate and development outside the envelope should only be allowed in exceptional circumstances - this was not;

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- The site was an unsustainable location and the existing facilities would not meet the needs of the new residents. There was no shop or doctors and there were limited employment opportunities, train services were not regular and the buses were infrequent. People relied on their cars for the majority of journeys, so there would be increased traffic on the roads;
- Paragraph 103 of the NPPF stated that development should be focused on sustainable locations and this application was not meeting that core objective;
- A Travel Plan should have been submitted with the application;
- The development would have a harmful effect and extend out into the countryside. It would be prominent and have an urbanising effect on the village;
- An LVIA had been submitted by the applicant, but the Council did not have a specialist Landscape Officer in-house and one should have been employed.

*At this point, the Chairman advised Ms Boyd that she would have to stop as she had exhausted her 5 minutes of speaking time.*

At the invitation of the Chairman, Councillor Alan Sharp, a Ward Member for Woodditton, addressed the Committee and made the following points:

- The village was not opposed to suitable development, but a 15% increase in houses was quite substantial;
- He had spoken to the Parish Council about a Community Land Trust;
- He had a number of points, the first regarding water. There had been flooding in the area and on 5<sup>th</sup> April the Environment Agency said the sewer pipe could be operating at capacity. Part of the site was in Flood Zone 3, and with 41 houses and commercial units, water retention would be put to the limit. The LLFA had removed its objections on 20<sup>th</sup> March 2019, but he had issues with this;
- With regard to transport, it seemed to him that Highways never objected. Stetchworth Road had blind bends, and with parked cars and the increase in traffic, it would cause issues. The Kings Head junction had poor visibility and was dangerous. Many of the houses on Station Road were built long before there were cars and residents therefore had to park on the road. It was used as a run from the A11 and the station and there were blind bends which made the road dangerous;
- The station was full up by 8.00am and since a charge was now made to use the car park, people were parking on the S bends;

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- There was a danger that the views of the Grade 1 Listed St Mary's Church would be affected;
- He took the cynical view that just because the site had not been marketed for equine use, it was not to say that it was not needed.

In response to a question from Councillor Downey regarding affordable housing, Councillor Sharp said there were other sites in the village. Councillor Trapp asked him about the relevance of development at Bottisham and Councillor Sharp said there was an inference that the south of the District was not taking enough housing; he felt there was a lot of banking of the land supply.

The Planning Team Leader reminded Members that the application had been independently assessed as a viable equine business and what the Adopted Local Plan stated about land required per horse. He reminded Members that from memory, in previous decisions Inspectors had commented that there was no set percentage increase limit for villages; it was the impact that must be assessed. In connection with affordable housing, he said that if Members were minded to grant approval, they could impose a condition requiring local people to be given priority.

Councillor Downey said he had difficulty in understanding how the application complied with Policy HOU3, which required 40% affordable housing in Dullingham, when the proposal would only provide 30%. The Planning Manager explained that the policy within the Local Plan could not be changed as it was an adopted policy. However, the Submitted Local Plan which had been withdrawn, specified a lower percentage of affordable housing, based on a viability assessment carried out by this Council. Following the withdrawal of the Submitted Local Plan a further was carried out and the findings showed that the viable position was 30% for the District, and 20% in Littleport and Soham. Therefore if a scheme complied with the viability report the Council was not requesting further viability testing. Paragraph 7.26 of the report explained the current position. The Planning Manager agreed that the report wording should not state that the proposal complied with Policy HOU3 as the 40% was not being provided, but that the proposal complied with the independent viability report produced for this Council.

Councillor Wilson thought that affordable housing was always at the bottom of the list and he believed the landowner should suffer the viability loss. However, the Committee had to go with what was in place and there should be a comment somewhere regarding this. The Planning Manager reiterated that she could not amend the policy as it was adopted, but she would raise it with Strategic Planning and provide Members with a link to the viability report which was available to view on the Council's website.

Councillor Huffer said the impact of the development on the paddock and would be irreversible and Members needed to protect open spaces.

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Councillor Downey declared himself to be in two minds about the application, as housing was needed and the Council did not have a 5 year supply. However, he was loathe to support something that did not comply with affordable housing policy.

Councillor Trapp said he was not supportive of the scheme in its current state. He was well aware of the transport difficulties, the development looked overcrowded and it was a heavy density for the village.

Councillor Wilson commented that if Members refused the application, there would be no affordable housing. It was not as good as he would wish to see, but some affordable housing was better than none and he was therefore inclined to support the Officer's recommendation. He also commented that most villages did not have a station and Dullingham does. With it only being an outline application, the full application could come back to Committee for discussion.

The Chairman asked the Planning Manager if it would be in order to grant outline permission and bring the Reserved Matters application back to Committee; she confirmed that it would.

Councillor Schumann said he was somewhat 'on the fence', as he represented areas that had taken 30 – 40% growth. Vistas and views were important and this development would fundamentally change the area for ever. However, if the proposal was refused on that basis, there would never be any development and it would be a struggle to build anything in the south of the District. He was therefore minded to support the recommendation for approval, but with the Reserved Matters being brought back to Committee

It was duly proposed by Councillor Schumann and seconded by Councillor Ambrose Smith that the Officer's recommendation for approval be supported. When put to the vote, the motion was declared carried, there being 8 votes for and 3 votes against.

It was resolved:

That planning application reference 18/01435/OUM be APPROVED subject to the signing of the S106 Agreement and the recommended conditions, with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission.

It was further resolved:

That the Reserved Matters application be brought back to Planning Committee.

*There followed a comfort break between 4.10pm and 4.17pm.*

### **22. 18/01704/FUM – SITE WEST OF 22 TO 30 HIGH STREET, ASHLEY**

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Richard Fitzjohn, Senior Planning Officer, presented a report (reference U46, previously circulated) which sought full planning permission for the demolition of the existing dwelling (No. 28 High Street, Ashley) and the erection of 10 dwellings on paddock land to the rear of this existing dwelling. The proposal included the creation of a new access road off the High Street and provision of an area of open space in the eastern part of the site.

It was noted that there was an extant outline planning permission (17/01171/FUL) for 8 dwellings on the application site. The outline permission agreed matters of access, layout and scale, with appearance and landscaping reserved.

The Senior Planning Officer drew Members' attention to an error in paragraph 7.3.2 of his report, saying that it should read '**4x3 bed** and **3x4 bed**'.

The application site was located within the Ashley Conservation Area and comprised the property of No.28 High Street and private paddock land. The area was primarily residential in nature with Silverley Way, a modern residential development, to the south. The Ickniel Way, a public footpath, ran alongside the northern boundary of the site and was separated from the site by an existing hedgerow and post and rail fencing. The Old Plough, a Grade II Listed Building, was located to the north of No.28.

The application had been called in to Planning Committee in March 2019 by former District Councillor Peter Cresswell, in the interests of openness.

A number of illustrations were displayed at the meeting, including a map, aerial view, site plan, and street elevations.

The main considerations in the determination of the applications were:

- Principle of development;
- Planning history;
- Housing mix;
- Visual amenity and heritage;
- Residential amenity;
- Highway safety and parking;
- Flood risk and drainage; and
- Ecology.

Speaking of the principle of development, the Senior Planning Officer said that No.28 was within the development framework for the village but the

paddock for development was outside of it. Given the absence of a 5 year housing land supply, the boundary limitation placed by the Ashley development envelope did not apply and development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits. Due to the close proximity of the site to the Ashley development framework and the principle of residential development for 8 dwellings already being accepted on the site, the application site was considered to be a sustainable location for the provision of 10 dwellings.

The Committee was reminded that the planning history of the site was a material planning consideration and therefore weight must be given to the fact that there was already a permission on the site for 8 dwellings when considering the current application for 10 dwellings.

The proposed development provided a good mix of housing which broadly accorded with the indicative property size guide set out within the Local Plan. No affordable housing provision was required for the proposal due to its size and the Authority did not consider that more than 10 dwellings should be provided on the site for application 17/01171/OUT, which related to the same application site. It was considered that an increased density of development would have an undesirable impact on the character and appearance of the area.

A large part of the site was located within the Ashley Conservation Area and The Old Plough adjoined part of the eastern boundary. The Conservation Officer had no objection to the impacts of the proposed development on the Conservation Area or any nearby listed buildings, subject to standard details and materials conditions.

The development would be highly visible from the public footpath which ran adjacent to the north of the site. It would alter the character of the area and impact on the openness of the footpath. However consideration had to be given to the similar impacts which would be created by the extant outline planning permission for 8 dwellings on the same site and the existing backdrop of Silverley Way when viewing the site from the footpath.

The design and appearance of the proposed development was considered to be of a high quality and sympathetic to the semi-rural character of the area, subject to specific details relating to external materials being secured by a planning condition. It was considered that the proposal would not cause any significant harm in respect of visual amenity or heritage impacts.

The siting, layout and design of the proposed dwellings would ensure that there would be no significant overlooking between the plots. There was a significant separation distance between the proposed dwellings and nearby existing dwellings which was sufficient to prevent any significantly detrimental impacts on the residential amenity of neighbouring occupiers or the business of The Old Plough.

The site was located within Flood Zone 1 and a Flood Risk Assessment & Drainage Strategy had been submitted with the application. It confirmed that surface water from the proposed development could be dealt with on site and a detailed surface water drainage scheme and future drainage maintenance strategy could be secured by a planning condition.

The Senior Planning Officer stated that the Local Highways Authority had no objections to the proposal. It was noted that the proposed access, carriageway road and shared surface area would be designed to adoptable standards which would allow the road and shared surface area to be offered to the LHA for adoption. The proposal included 2 or more on-plot car parking spaces per dwelling and 2 visitor car parking spaces, in broad accordance with the Council's parking standards.

The proposed hedging along the northern boundary of the site was proposed to be set back 2.5 metres from the public footpath to allow growth without restricting access to the footpath, and the boundary treatment proposed along this boundary was specified as post and rail fencing. The proposal did not include re-surfacing works to the public footpath which was requested by the County Council definitive map team, as the request was considered to be unreasonable. The proposed development would not impact the public footpath beyond that of the previous outline planning permission on the site.

It was considered that the proposed development would not create any significant detrimental ecology impacts and ecological enhancements could be secured by a planning condition.

The proposal included the felling of two TPO Sycamore trees towards the front of the site and the Senior Trees Officer considered that the loss of two TPO trees towards the eastern extent of the site would have a detrimental effect on the street scene along High Street where they were currently highly visible. However, the proposal included 1 Beech tree to be planted in a similar location at the front of the site, which accorded with the conditions of an approved Tree Works application to fell one of these TPO trees. There would be additional planting further into the site where it was acknowledged that planting would be less visible from the High Street.

The extant outline planning permission for 8 dwellings on the site had already been approved, therefore the principle of felling two 2 TPO trees was considered acceptable as it could be carried out as part of a development linked to the outline planning permission. A revised soft landscaping scheme had been received during the course of the application incorporating the recommendations of the Trees Officer; the Trees Officer had advised that the landscaping scheme was acceptable.

The Senior Planning Officer concluded his presentation by saying that on balance, it was considered that the adverse effects of the development would not significantly and demonstrably outweigh the benefits and the application was therefore recommended for approval.

At the invitation of the Chairman, Mr Simon Hull addressed the Committee and made the following comments:

- He lived at No.32 High Street and he was representing his immediate neighbours. Comments had already been submitted to the Planning department;
- He endorsed the Parish Council's views;
- There were concerns about the road being adopted. It was said that it would be built to adoptable standards, but there was no requirement for the road to be adopted and there was no timeframe for adoption. It could take years;
- Refuse lorries would not enter the site until the road was adopted, so residents would have to take their rubbish out to the roadside. All the houses would be more than 25 metres from the road. In the High Street, rubbish was left for collection outside The Old Plough which was a Listed Building and restaurant, which could damage the business. Adoption of the road could take more than a year;
- The comments about car parking were confusing. Only four of the ten properties had 2 parking spaces and only 1 did not have tandem parking and this would lead to parking in the road, which could impact on emergency vehicles;
- Confirmation was still awaited from Anglian Water regarding incoming water and outgoing sewage.

At the invitation of the Chairman, Ms Sophie Pain, agent, addressed the Committee and made the following points:

- She was mindful of the approved outline permission and its parameters and the approved layout had been maintained;
- The position of the road would maintain views of The Old Plough and ease transition. There would be 1½ storey homes on the east side;
- Gardens would face onto the Public Right of Way on the northern boundary. The application included full details of soft landscaping, 44 trees would be planted and changes had been made to the planting specification;
- Increased the number of 2 and 3 bedroomed properties and Officers had been consulted on the housing mix and a scheme put forward to enhance Ashley;

- The properties would be sensitively designed with gardens being 50 square metres plus in size and would meet the Design Guide requirements;
- The uplift of 2 new homes would help with the Council's 5 year housing land supply.

Councillor Wilson wished to know if a condition could be added requiring the central road to be adopted prior to first occupation. Councillor Schumann said that speaking as a County Councillor, he could say that the County would not adopt a road for only 10 dwellings and this could not be conditioned. The refuse lorries would go in and collect the rubbish. Ms Pain added that the applicant was aware that if the road was not adopted, an indemnity would be required but the road would be constructed to an adoptable standard.

The Chairman noted that the application approved in 2017 had a 'no through' route and this application had introduced an access to the adjacent land. Ms Pain explained that the land to the west was landlocked. It was a low key area and they needed to ensure a means of access by which to maintain it, but the land in question was outside the application area.

Councillor Trapp thought there did not seem to be enough car parking and tandem parking would be to the detriment of road users. Ms Pain replied examples of tandem parking were shown in the outline application. The garages were sized so that they could be used for parking or storage and each dwelling had at least two on-plot parking spaces.

At the invitation of the Chairman, Parish Councillor Sarah Howell, Ashley Parish Council, addressed the Committee and made the following remarks:

- The Parish Council had consistently objected as the development would be isolated from the rest of the village;
- The outline application had been for 8 dwellings, but this proposal was 25% larger, with a 22% increase in the number of bedrooms. It was a significant increase;
- Ashley was a small linear village and this scheme was backland development, not infill. It would not be in keeping with the surroundings and because of the long access road, it would be cut off from the village, creating an isolated community;
- Photographs had been submitted but did not appear on the planning portal. The views along High Street, Mill Road and Church Street were a delightful hotchpotch of materials and colours, whereas this new development showed little variety. The materials and colours would not compliment the rest of the village and when viewed from the Icknield Way, the development would not blend in;

- The fencing and hedging would stop the footpath from drying out and the surface would deteriorate. The landowner should maintain it.

Councillor Wilson stated that comments had been made that Ashley was a linear development, but Silverley Way adjacent to the site was not linear. Councillor Howell commented that Silverley Way had houses all along the road and not a long access road, which this development would have.

Councillor Downey asked if there had been any contact with the owners/managers of The Old Plough and what they thought of the development. Councillor Howell replied that they had made their views forcefully known and were very concerned.

At the invitation of the Chairman, Councillor Alan Sharp, a Ward Member for Woodditton, addressed the Committee and made the following comments:

- The black clad timber looked out of keeping with the area;
- The parking for the 10 homes looked cramped;
- He was very cynical about the land at the back of the development, which was locked;
- Stopping at 10 houses meant there was no requirement to provide affordable housing.

During the site visit, Councillor Ambrose Smith noted that attention had been paid to the footpath so it would remain sunlit. The Senior Planning Officer said this was why the hedge had been set back 2½ metres so as not to cause shading and why condition 19 removing the Permitted Development rights for additional fences etc. was recommended.

Councillor Jones asked if there had been sufficient assessment carried out to ensure that The Old Plough's business would not be affected. The Senior Planning Officer replied that this had been considered within the context of the outline planning permission. With regard to residents complaining about noise from the establishment, Environmental Health would normally take into account previous complaints regarding noise from the business by occupiers of existing nearby properties. No complaints had been received.

Councillor Trapp asked who would pay for the indemnity in respect of the rubbish collection. The Planning Manager advised that the developer would pay the indemnity insurance and bin collection was paid for by Council Tax. Councillor Brown added that subsequent purchasers of the properties would have it included in the deeds.

Councillor Brown felt that there had been lots of suspicions voiced around ownership of the adjacent parcel of land and he reminded Members that this could not be taken into account; the Committee could only look at what was in front of it today.

Councillor Schumann still had concerns about the density of the proposal despite it being higher in neighbouring areas. However, he believed there were no clear reasons to refuse the application and reiterated that in connection with waste, the RECAP policy had been previously been rejected by an Inspector at appeal.

He therefore proposed that the Officer's recommendation for approval be supported, and the motion was seconded by Councillor Wilson. When put to the vote, the motion was declared carried, there being 9 votes for and 2 votes against. Whereupon,

It was resolved:

That planning application reference 18/01704/FUM be APPROVED subject to the recommended conditions as set out in the Officer's report.

*At this point, the Planning Manager left the Council Chamber. The Chairman said he would vacate the Chair but sit in the public gallery and exercise his right to speak as a local Member, after which he would leave the meeting.*

*In the absence of the Vice Chairman, it was proposed by Councillor Huffer, seconded by Councillor Wilson and agreed that Councillor Schumann should assume the Chair for the consideration of the next agenda item.*

**23. 19/00479/FUL – PLOT 1, LAND TO REAR OF 17 SHORT ROAD, STRETHAM**

Catherine Looper, Planning Officer, presented a report (reference U47, previously circulated) which sought full planning permission for a part single storey, part two storey detached dwelling on the application site. The single storey element would have a maximum height of 4.5 metres; the two storey element would be a maximum 6.2 metres high and would be located to the western side of the plot, away from the single storey dwellings at Starlock Close.

The Committee was asked to note that the applicant had provided details of the materials to be used prior to this meeting. These were considered acceptable and therefore condition 3 would be amended to reflect this if Members were minded to approve the application.

The application site was located to the rear of 17 Short Road in the eastern part of a former orchard, although the majority of the trees had been felled. There was a second building plot to the west and construction was well underway. To the east there were bungalows in Starlock Close and the eastern and southern boundaries were defined by existing vegetation. Access

to the site was via an existing driveway, which ran north to south between 16 and 17 Short Road.

It was noted that the application had been called in to Committee by Councillor Bill Hunt, as '*This is a matter of considerable dispute in the area and would benefit from the wider debate a call in allows.*'

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

The main considerations in the determination of the applications were:

- Principle of Development;
- Residential Amenity;
- Visual Amenity;
- Highway Safety;
- Flood Risk & Drainage;
- Contamination; and
- Ecology & Biodiversity.

The Committee was reminded that the site benefitted from outline consent for two single storey dwellings, the principle of development having been established under application 17/00103/OUT.

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 site was adjacent to the defined settlement boundary and was considered to be a sustainable location.

In terms of residential amenity, the proposed layout showed that there were sufficient separation distances between the proposed dwelling and surrounding properties. The single storey nature of the eastern side of the dwelling would prevent impacts such as overlooking, overbearing and overshadowing. The two storey element was positioned to the western-most side of the plot, away from the dwellings along Starlock Close.

Concerns were raised by neighbours about car headlights shining into the houses but the garage had solid walls which would prevent this, and a vehicle using the space adjacent to the garage would not be considered to cause significant nuisance. Neighbours had also asked for a close boarded fence along the eastern boundary. Following the submission of tree and hedge details, it was considered that the introduction of a fence in this location would be harmful to the trees and hedgerow and would likely lead to their loss. Instead a condition was recommended for a scheme for soft landscaping to be submitted which would include details of how the hedge would be thickened.

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Speaking of the visual impact, the Planning Officer said the proposal was modest in scale with single storey elements and the height would be in keeping with the mixture of dwellings in the area. The dwelling would not be highly visible from Short Road and it was therefore considered that it would not alter the character and appearance of the wider area.

The site was accessed using an existing access with Short Road. The proposed access was considered suitable to serve two dwellings under the previous outline application and therefore was considered suitable for the current proposal. There was sufficient space for the manoeuvring and parking of two vehicles on site in accordance with transport and parking policies within the Local Plan. The Highways Authority had raised no objection to the proposal.

A condition requiring a scheme of biodiversity enhancements proportionate to the proposed development was recommended in line with policy ENV7 of the Local Plan 2015 and the National Planning Policy Framework. The applicant has also submitted a tree survey and protection scheme to which the Council's Trees Officer has raised no objections.

The Planning Officer concluded her presentation by saying that the proposed dwelling was of an acceptable design and scale to prevent significantly harmful impacts on the residential amenity of nearby occupiers or on the character and appearance of the area. The application was therefore recommended for approval, subject to an amendment to condition 3 to reflect the fact that the details of materials had been provided.

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

- This full application was compliant with policy and there was an extant permission, therefore the principle of development was already established;
- The Parish Council had objected to the height of the dwelling, but given the separation distances, it was not out of context in the neighbouring area;
- The two storey element was 17 metres from the site boundary;
- The dwelling was modest in scale and mass and would not be detrimental to the amenity of nearby occupiers;
- His clients intended living in the property and they did not want to create bad feelings with anybody.

Councillor Brown asked if any thought had been given to the boundary treatments, such as how to deal with them and to what height. Mr Palmer replied that the hedge would be allowed to mature and the Planning Officer

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reiterated that a condition would require details to be submitted about how the hedge was to be thickened.

At this point, Councillor Hunt exercised his public speaking right to address the Committee and he made the following remarks:

- If Members looked at the map, they would see that No.17 Short Road was an established Edwardian house;
- The building line was just behind the houses and there used to be a gap with a gravel road between the garage. Now there were three buildings, a whole new development;
- Fieldside had seen two new bungalows, and there were four in Meadow Farm. This area had been given consent for bungalows;
- The proposed dwelling was not a bungalow, it would be out of character, overbearing and cause a lack of amenity to neighbouring houses;
- Cars headlights would create a nuisance to neighbours;
- All the traffic would have to come down this route, and there was not enough room because the access was very narrow;
- The Parish Council agreed that this was an area for bungalows;
- The double garage would be so close to the hedge that it would be difficult to maintain it;
- The height of the dwelling would be too high;
- It was overdevelopment and would have an overbearing impact on Starlock Close.

*At this point, Councillor Hunt left the Council Chamber.*

Councillor Wilson agreed that there should not be a fence but he wondered if it would be possible to condition the developer to add some evergreen hedging. The Planning Officer replied that she could discuss this with the agent, but she would have to run it past the Trees Officer to ensure it was appropriate.

Councillor Downey asked the Planning Officer for her thoughts on the responses from neighbours about the proposed scheme not standing up to the local visual amenity and building heights. She replied that the single story element was 4½ metres and the two storey, 6.2 metres. She thought the proposed dwelling was comparable with its surroundings and would blend in.

Councillor Brown thought the only issue would be to make sure the boundary treatment was sorted.

Councillor Wilson said it was clear to him that the dwelling would fit in nicely with the building next door, because not all the properties were bungalows. He duly proposed that the Officer's recommendation for approval be supported.

Councillor Downey said he could see no good solid reason to refuse the application and he seconded the motion for approval.

When put to the vote, the motion was declared carried, there being 9 votes for and 1 vote against.

It was resolved:

That planning application reference 19/00479/FUL be APPROVED subject to the recommended conditions as set out in the Officer's report.

*The Planning Manager and Councillor Hunt both returned to the Council Chamber at this point.*

*Councillor Hunt reassumed the Chair for the remainder of the meeting.*

**24. 19/00708/OUT – SITE TO WEST OF 10 – 20 SHERIFFS COURT, BURROUGH GREEN**

Catherine Looper, Planning Officer, presented a report (reference U48, previously circulated) which sought outline planning permission for five detached single storey properties, with detached garages. Access, layout and scale were being considered, with appearance and landscaping to be considered at the Reserved Matters stage.

The application site comprised an irregular shaped area of land located along the southern edge of Burrough Green and part of the site abutted the Burrough Green Conservation Area to the north and north-west. There was a staggered row of large detached properties in Church Lane which wrapped around the northern and north-western boundaries of the site. Along the east boundary lay a more contemporary form of residential development of two storey semi-detached dwellings in Sheriffs Court. To the south of the site was open countryside.

It was noted that the application had been called in to Committee by Councillor Alan Sharp.

A number of illustrations were displayed at the meeting, including a site plan, aerial view and a site plan of the proposal.

The main considerations in the determination of the application were:

- Principle of Development;

- Residential Amenity;
- Visual Amenity;
- Conservation Area;
- Highway Safety;
- Flood Risk & Drainage;
- Contamination; and
- Ecology & Biodiversity.

The Planning Officer drew Members' attention to a similar application that had been received in 2017. It was refused by the Case Officer for reasons relating to the visual impact and the Conservation Area, and on highway safety due to the 15 parking spaces shown near to the site access. The refusal was taken to appeal and dismissed, the Inspector agreeing with the impacts on highway safety. However, the Inspector considered that the low density and single storey scale of the proposal would not create visual impacts on the character of the conservation area. The Inspector's decision was an important material consideration.

The applicant had therefore amended this proposal to remove the parking spaces shown at the front of the site so as to overcome the highway safety issues.

The Council was currently unable to demonstrate a 5 year supply of land for housing 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 site was adjacent to the defined settlement boundary and was considered to be a sustainable location, with good access to the settlement of Burrough Green. It was not considered to be isolated, and the principle of development was considered acceptable subject to compliance with other planning considerations.

With regard to residential amenity, it was considered that there were acceptable separation distances between the proposed dwellings and surrounding properties. The single storey nature of the dwellings prevented impacts such as overlooking, overbearing and overshadowing. The proposed plot sizes, rear amenity space and indicative building sizes complied with the requirements of the Design Guide SPD. The access road was of a sufficient distance from nearby properties to prevent significantly harmful impacts from the movement of vehicles.

Members were reminded that the full details of the visual appearance had not been included within the application and would need to be assessed at the Reserved Matters stage. The Planning Officer reiterated that at the appeal for this site (reference APP/V0510/W/18/3208502), the Inspector considered the low density and single storey nature would not adversely impact on the Conservation Area and would preserve the character of the

area. Additionally, the Inspector noted that the area held a number of styles, layouts and densities for dwellings and therefore the proposed dwellings would not be out of keeping with the character of the area; this was a material consideration.

The layout showed that there was sufficient room on site for the manoeuvring and parking of two vehicles for each of the proposed dwellings, and this was considered to comply with policy. The Highways Authority had raised no objection to the proposals and had confirmed that the junction with the public highway was suitable for this intensification of use.

Turning next to ecology and biodiversity, the Committee noted that sufficient ecological and reptiles surveys had been carried out in order to establish that the proposal would not result in unacceptable impacts. It was recommended that a condition be imposed requiring a scheme of biodiversity enhancements proportionate to the proposed development.

A Tree Survey and tree protection scheme had been submitted with the application, and the Council's Trees Officer had raised no objections. It was considered appropriate to condition that the tree protection measures be carried out in accordance with the recommendations in the Survey and protection scheme.

Other material matters such as foul and surface water drainage, unexpected contamination and archaeological investigation could be secured by condition.

The Planning Officer concluded her presentation by saying that on balance, the application was considered to comply with planning policy and was therefore recommended for approval.

At the invitation of the Chairman, Councillor Alan Sharp, a Ward Member for Woodditton, addressed the Committee and made the following points:

- A similar application was rejected in 2017 and the Inspector dismissed it at appeal mainly because of parking;
- He disagreed because he believed the visual aspect of the proposal was important;
- He was not sure that there was a market for the dwellings;
- The occupiers would commute out of the village;
- The access to the main road was unsuitable as it was starting to get 'chewed up';
- There were issues around pedestrian safety, as the primary school had a 'walking bus' in that area from 8.30am;

- The village did not need five large houses and he thought a better mix could be achieved;

Councillor Schumann advised Councillor Sharp that the Committee was in a difficult position as the only objection raised by the Planning Inspectorate was the parking and this had now been removed. The decision by the Planning Inspectorate was a material consideration; Councillor Sharp replied that he understood.

In response to a question from Councillor Trapp regarding refuse collection, the Planning Officer confirmed that the development would have a properly secured bin store. The report contained a recommended condition requiring the details and elevations of this to be submitted.

It was resolved unanimously:

That planning application reference 19/00708/OUT be APPROVED subject to the recommended conditions as set out in the Officer's report.

## **25. PLANNING PERFORMANCE REPORTS – MAY & JUNE 2019**

The Planning Manager presented two reports (U49 and U50, previously circulated) which summarised the planning performance figures for May and June 2019.

It was noted that the Department had received a total of 183 applications during May 2019, which was an 8% decrease on May 2018 (199) and an 11% decrease from April 2019 (207).

A total of 171 applications were received during June 2019, which was a 7% decrease on June 2018 (185) and a 6% decrease from May 2019.

The Planning Manager said that 4 valid appeals had been received during May and 4 had been decided, with 3 having been dismissed and 1 allowed.

In June there had been 2 valid appeals received and 4 decided, 3 having been dismissed and 1 allowed.

The Authority had served its first Temporary Stop Notice at the new Co-op shop in Fordham relating to work being carried on out outside of the permitted hours.

In connection with enforcement, Members were asked to note the number of new complaints being registered and to bear in mind that the team comprised of only 2.5 full time equivalent Officers. The Planning Manager reiterated that when reporting an issue, it was important to give the exact address. She also said that some Members might recall the enforcement action involving Mr Tomlin; he had sold the land and just over £20,000 had

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been recovered in connection with the case as the Council had placed a charge on the land.

Councillor Schumann informed the Committee that he had recently attended a County Council event and a developer had told him that he wished every planning department was like East Cambs.

Whereupon,

It was resolved:

That the Planning Performance Reports for May and June 2019 be noted.

The meeting closed at 5.59pm.