



EAST CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a Meeting of the Planning Committee  
held in the Council Chamber, The Grange,  
Nutholt Lane, Ely on Wednesday, 3<sup>rd</sup> October 2012  
At 2.00pm

### **P R E S E N T**

Councillor Philip Read (Chairman)  
Councillor David Ambrose-Smith  
Councillor Sue Austen (substitute for  
Councillor Gareth Wilson)  
Councillor Derrick Beckett  
Councillor Will Burton  
Councillor Lavinia Edwards  
Councillor Jeremy Friend-Smith  
Councillor Bill Hunt  
Councillor James Palmer (substitute for  
Councillor Tom Kerby)  
Councillor Mike Rouse  
Councillor Joshua Schumann  
Councillor Robert Stevens

### **OFFICERS**

Sarah Burns- Senior Legal Assistant  
Oliver Cook – Housing Development & Enabling Officer  
(Agenda Item 5)  
Alan Dover – Principal Development Control Officer  
Giles Hughes – Head of Planning & Sustainable  
Development Services  
Scott Jackson – Planning Officer  
Penny Mills – Senior Planning Officer  
Janis Murfet – Democratic Services Officer

### **I N A T T E N D A N C E**

Councillor Ian Allen  
Councillor Gareth Wilson  
Councillor Pauline Wilson  
14 members of the public

#### 26. **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Tom Kerby, Sue Willows and Gareth Wilson.

It was noted that Councillor James Palmer would substitute for Councillor Kerby, and Councillor Austen for Councillor Gareth Wilson, for the duration of this meeting.

27. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

28. **MINUTES**

Councillor Hunt pointed out that although he had attended the last Committee meeting, his name did not appear on the list of those present, and he asked for this to be rectified.

It was resolved:

That, subject to Councillor Hunt's name being added to the list of those present, the minutes of the meeting held on 5<sup>th</sup> September 2012 be confirmed as a correct record and signed by the Chairman.

29. **CHAIRMAN'S ANNOUNCEMENTS**

At the invitation of the Chairman, the Principal Development Control Officer advised the Committee of a Statutory Instrument that was to take effect as from 6<sup>th</sup> October 2012. From this date local planning authorities would have to show how they complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework.

30. **12/00429/FUM – RESIDENTIAL DEVELOPMENT OF 24 NO DWELLINGS CONSISTING OF 2 NO FLATS, 3 NO BUNGALOWS AND 19 NO HOUSES AND ASSOCIATED WORKS – LAND NORTH OF 9 TO 11 NORTHUMBRIA CLOSE, HADDENHAM**

Penny Mills, Senior Planning Officer, presented a report which gave details of the application, the applicant's case, the site and its environment, the planning history and relevant factors and policies.

A Member's site visit had taken place prior to the meeting.

Mrs Mills asked the Committee to note a number of housekeeping issues relating to the application:

- At present the Section 106 was still in progress. It was therefore suggested that the recommendation contained within the report be changed to delegate approval of the application to the Head of Planning & Sustainable Development Services, subject to the completion of an acceptable S106 Agreement.
- An amendment had been made to the wording of condition 17; it would now read "The boundary treatments on the rear

of plots 6-17 inclusive shall be only as approved under condition 4 of this approval, **unless otherwise agreed in writing with the local planning authority**".

- The following new condition be added:

No vegetation clearance work shall take place within the bird-nesting season March – August inclusive, unless an experienced ornithologist has undertaken a survey of the area to ensure that no nesting birds will be affected and the local planning authority has agreed to the work in writing.

REASON: To ensure nesting birds are not adversely affected in accordance with policy EN6 of the Core Strategy 2009 and Planning Policy Statement 9 Biodiversity and Geological Conservation".

Mrs Mills then summarised the main points of her report and reminded Members that the key issues for consideration were:

- The compliance of the proposal with the affordable housing exception site policy H4;
- The impact on visual amenity and the appropriateness of the layout and design of the development;
- The impacts on residential amenity;
- The impacts on highway safety;
- The impacts on ecology and biodiversity; and
- The impacts on flood risk and drainage.

It was noted that this was a rural exception site, and the National Planning Policy Framework allowed for such sites to be used to provide affordable housing in perpetuity, in locations that would not normally be used for market housing. However there was still a requirement for the proposal to comply with Policy H4 of the Council's Core Strategy, as detailed in paragraph 8.2 of the report.

The application site sat alongside the edge of the settlement envelope and physically abutted an existing residential development, Northumbria Close. It would therefore relate well to the built-up framework of the village and would not sit isolated from it. Concerns had been raised by residents regarding the distance of the site to the centre of Haddenham (approximately 1km) and the amenities located there. However the very nature of exception sites meant that they were unlikely to locate close to the centre, because they used land outside the development envelope. In this case, the relationship between the site and the settlement was considered to be acceptable, both in terms of the physical relationship to the existing built-up area and the distance to local amenities.

Concerns had also been raised about the impact of the development on the setting of the village and the surrounding countryside. The development would undoubtedly change the character of the site, and the nearest properties would experience the greatest change. However, it was considered that the proposal could be accommodated without any significant adverse effects, and any visual impact would be reduced by the proposed soft landscaping. Members were also reminded that the protection of private views was not a material planning consideration.

Referring to the letter from Sanctuary (Appendix 1 to the report), it was noted that the applicant had undertaken a lengthy selection process to identify a suitable site. It was considered that there had been sufficient demonstration that no other better site could meet the current affordable housing need in the area, and the proposal therefore met the requirements of Policy H4 of the Core Strategy.

The density of the development was 35 dwellings per hectare and was comparable with that of Northumbria Close, which equated to 33 dwellings per hectare. The layout had been amended to enlarge the central area of open space by removing a shared parking area, and each property would have its own car parking spaces. Many of the dwellings would front an adopted highway and those served by private accesses from that highway would have bin collection points, all of which were within the development site and one which could be accessed from Station Road. Some of the individual designs had been altered to simplify elevations and incorporate the use of different materials, and on some dwellings chimneys had been added to help the roofscape blend well with the surroundings.

Members were reminded that access to the adjoining agricultural field had been retained as part of the layout at the request of the landowner. This would be for private domestic use only and farm traffic would not be permitted through the development.

Mrs Mills stated that properties on the opposite side of Station Road had raised concerns about the impact of the development on their residential amenity. These properties would have a considerable degree of separation – 30 metres – from the nearest dwellings in the new development, and at this distance there would be no adverse effect either from overlooking or from the new buildings being physically overbearing.

There was also concern regarding the impact on neighbours adjacent to the southern boundary, and in particular, on 79 Station Road. It was inevitable that there would be some impact on this property because it was currently adjacent to undeveloped land, and therefore experienced a very low level of overlooking. Its rear garden would be adjacent to the rear gardens of plots 20, 21 and 22, but the properties did not back directly on to one another and the oblique

relationship between them meant that the proposed distance of approximately 16 metres was acceptable.

With regard to Highway Safety, it was noted that the proposed development met the Council's adopted parking standards. The new road serving the development would be a "shared surface" and it was proposed that the access road, shared surface and associated turning head would be adopted by the Highways Authority. County Highways had confirmed that these proposals met their requirements.

It had been acknowledged that accessibility from the site on foot and by cycle was not particularly good. However the Highways Officer did not view the current situation as being exceptionally bad. She did not feel that the absence of a continuous footway and the narrowness of the existing footway would warrant an objection on the grounds of highway safety.

The Local Planning Authority considered the applicant's Transport Assessment adequate for the nature of the proposed development. The current situation regarding pedestrian access along Station Road would not be made any less safe by the creation of the 24 new homes adjacent to Northumbria Close, and the pedestrian link was not so unsafe as to prohibit further residential development. Construction traffic would be carefully managed through the use of a planning condition. The Senior Planning Officer also reiterated that it was not for the LPA to attach a condition to the permission to improve a perceived highway safety issue, when the development did not "create" the issue.

The Committee noted that an Amphibian & Great Crested Newt Survey and a Reptile Survey had been conducted in order to determine what species were present on the site and establish what mitigation would be required. The former confirmed a high potential for Great Crested Newts, and the latter the presence of Common Lizards. All the creatures would be trapped and removed to an area of land to the west, which would be enhanced to provide compensatory habitat. The creation of this habitat and its maintenance in perpetuity would be secured as part of the Section 106 agreement.

It was reported that in respect of renewable energy, the intention was to provide at least 10% through the use of air source heat pumps and, if necessary, solar PV. To ensure that this happened, a condition would be applied to any consent, requiring submission of a detailed energy statement and the subsequent installation of the renewable technologies outlined in that statement.

A Foul and Surface Water Drainage Strategy had been submitted setting out how the existing surface water regime, and surface and foul water drainage would be addressed once the new development was built. Surface water run-off would be discharged to

the ditch to the north, to maintain the existing regime. However, flows would not be attenuated by gravity alone, and a pumped solution was required. Rainwater harvesting would also be required to reduce the volume of runoff from the site that would occur due to creation of hard paved areas within the development.

Mrs Mills reminded the Committee of the existing Anglian Water Pumping Station adjacent to the site next to Station Road. Anglian Water had advised that the distance separating the proposed dwelling and the edge of the pumping station enclosure (between 5 and 9 metres) would be acceptable. A new wall would be erected around the pumping station to provide additional noise attenuation for the occupants of those dwellings closest to it.

Mrs Mills concluded by saying that there was a need for affordable housing in Haddenham and this proposal would go some way to meeting that need. She believed that all the key points had been met and there would be an acceptable level of amenity. Highways was happy with the proposal, the protection of the Great Crested Newts and Common Lizards had been addressed, and the issues of flood risk and drainage had been taken care of. The application was recommended for approval.

The Chairman congratulated Mrs Mills, saying that she had given a very good presentation.

At the invitation of the Chairman, Mr Chris Prescott, representing the views of local residents, spoke in opposition to the application and made the following points:

- The need for affordable housing in Haddenham was accepted, but there was concern regarding the proposed location;
- Could the findings of the Haddenham Village Vision be a material planning consideration? He believed that this was relevant to the application;
- 86% of those who responded to the Village Vision questionnaire were not in favour of more than 20 dwellings being built, and it was to be hoped that the Planning Committee would agree that 86% opposition was significant;
- Should there be housing growth on the edge of the development envelope?
- He disagreed with the content of the Senior Planning Officer's report;
- Village Visions were important and should not be ignored;

- Four sites had been identified as suitable; how had they been chosen? Within ECDC's own appraisal Northumbria Close had been shown as unsuitable because of its distance from the village;
- The Officer's report did not address the issue of access and the application did not meet the criteria of CS8;
- The Highways Officer viewed access as being "not exceptionally bad", and Members were being asked to approve on this basis;
- The report was silent on the number of lorries that would come about as a result of construction traffic.

Mr Prescott concluded by saying that this application was against the wishes of local people, it should have been rejected because it did not comply with Policy CS8, and the application had not identified the impact of construction traffic.

Councillor Rouse noted that the existing road stopped short of the open space and asked Mr Prescott if there had always been a presumption of development; Mr Prescott replied that it had never been his understanding.

Councillor Schumann wished to know whether there had been any accidents in the years since Mr Prescott had been a resident of Station Road. Mr Prescott said that Highways did not collect details of accidents where there was no personal injury involved, however he was aware of someone's house having been driven into, and also a lorry jackknifing and hitting 20 Station Road in the process.

At the invitation of the Chairman, Mrs Howell, resident of Haddenham, spoke in objection to the application. She said that in an ideal world there would be affordable housing in the village and newcomers would be settled into the community. All the objectors acknowledged the need for affordable housing but this development would be sited on a rural spot. Mrs Howell spoke of the issues surrounding access and road safety and said that not only would the site exacerbate the problems, but the development would be detrimental to those living in Northumbria Close and Station Road.

At the invitation of the Chairman, Mr Edwards, architect for the scheme, spoke in support of the application. He commenced by congratulating the Senior Planning Officer on her report, saying she had done a splendid job. He informed Members that the practice had spent at least three years working on this scheme, and it should be borne in mind that Sanctuary had looked at a number of sites and this was the only one considered suitable for the number of houses involved. The outcome of the consultation was a mix of housing types

to cater for all needs, which would create a vital, sustainable community of variety.

Mr Edwards then responded to comments and questions from Members.

Councillor Stevens wished to know what sort of heating system would be in the houses and whether it would include gas or oil tanks. Mr Edwards replied that there would be air source heat pumps and possibly also solar PV panels. It was not intended to have gas or oil tanks; this had come out of dialogue with the builders.

Councillor Palmer enquired where the air source heat pumps were to be located and was advised that they would be joined to the rear elevations of the dwellings.

At the invitation of the Chairman, Councillor Ian Allen, addressed the Committee in his capacity as a Ward Member for Haddenham, and made the following points:

- The issue of consultation was complex, but with Village Visions and Masterplans, why was this site not included in any of the plans?
- Exception sites were outside of the development envelope, and there were no priorities regarding such sites. This could inhibit sites coming forward and therefore plans should allow for them.
- He supported the need for affordable housing but would prefer to see lower densities;
- The residents of Haddenham needed more information about the scheme and he believed that despite negotiations having been ongoing for three years, someone was being economical with the facts;
- There could be more transparency in the future with information being appended to all documents;
- This site had had scant mention, and the houses should be built within the village to help achieve a balanced community; this development had to have broad community support;
- Why had the western spur been built to adoptable standards, but not the eastern spur?

In response to this latter point, Mrs Mills stated that the plans had been amended; it changed to private drive and then to grass.

At the invitation of the Chairman Councillor Pauline Wilson addressed the Committee, in her capacity as a representative of the Parish Council, reading from the following prepared statement:

“I called this planning application into the Committee, because this is the largest housing development in Haddenham for at least the last ten years and so that members of the public could have their say.

It is particularly important that the design of the houses and the layout should be of the highest quality and it should be an exemplar development and I am pleased to see that our comments have been noted and the layout has been changed.

The collection of refuse has caused some concerns and does need to be collected from each doorstep, mainly because of our black and paper sack collection. What generally happens if you live in a cul-de-sac is, the bin men just scatter so many bags around the place and if you are the last one home from work you don't get any, because they never seem able to leave the correct amount per household. Once we have a wheeled bin system, this would not be such an issue and residents could put their house numbers on the bins.

Affordable housing is bound to attract many young families with small children, and there needs to be adequate play facilities and access to local countryside walks without the need to go up Station Road.

The Parish Council is against this development because of having to turn out onto (Station Road) the A1421. Station Road has pavement only on one alternate side of the road and the children would have to cross this busy road twice to get to the Recreation Ground and School. I am very disappointed that our local County Councillor has not put pressure on Highways to make these necessary road improvements part of this development, because this is a very dangerous road and in need of a pedestrian crossing.

The Parish Council although supportive of affordable housing, which is much needed in Haddenham and this development conforms to our recent housing needs survey, we are against this development because it is, just, in the wrong place.”

(Councillor Mike Rouse left the meeting at 2.57pm).

Councillor Hunt said that while he agreed with much of what Councillor Pauline Wilson had said, he took exception to the inference that the local County Councillor had not put pressure on Highways to make improvements. *He* was the local County Member, and as

Councillor Wilson was not with him every moment of the day, she had no idea what he had or had not done. He felt that her statement was incorrect and ill-informed, and he asked her to withdraw the comment, which she did.

At the invitation of the Chairman, Councillor Gareth Wilson addressed the Committee in his capacity as a Ward Member for Haddenham, and read from the following prepared statement:

“Although I have no interest to declare I have decided upon advice that it would be better to let Sue substitute for me, so no one could complain that my previous involvement had prejudged my decisions.

For eight years I have been trying to get affordable housing in Haddenham.

Years ago I walked around the village with Nick Abbey former chief executive of Hereward Housing, who used to live in Haddenham, looking for suitable sites.

When this site came up I talked to the landowner and the development team at Sanctuary Housing and ECDC Housing and Planning Officers.

I have tried to ensure that we got play equipment here as affordable housing always has children and it is a long way to the Haddenham Recreation Ground, particularly for very young children. I am pleased that condition 23 specifies that this will happen and I hope that this will be transferred over to the Parish Council so it can be properly maintained. I hope the Parish Council will be involved in what items of equipment will be provided as we are in the process of upgrading all our play areas in the parish. (Please modify the condition to say *at least* three times).

I had hoped that the scheme would provide some safe method of crossing Station Road. The A1421 is a very busy road with totally inadequate footpaths. Walking from this site to the village centre for shops and school requires every pedestrian to cross the road at least once. However, County Highways have, with their usual inconsistency, stated that this is quite safe, but apparently it is not safe for builders lorries to access the site directly from Station Road. This has made it impossible to put a condition or Section 106 requirement to put a crossing on Station Road opposite Lion Court, where it is needed.

I am hoping that with the changed regulations recently announced by the Government and Cambridgeshire County Council that the Parish Council could reduce the speed limit to

20mph from Northumbria Close to the crossroads. Perhaps the landowner or Sanctuary could assist with the modest cost of this suggestion.

I had hoped that the development would have been slightly smaller at about 17 houses but we have to accept that the viability of this scheme (particularly with the additional cost of the archaeology and the newts) has made this impractical, and 24 units does conform to our recent housing needs survey.

The original plans submitted some months ago have been considerably improved in line with the many comments and objections from the Parish Council and local residents.

I am particularly pleased that the adopted road (for the use of refuse vehicles, emergency and delivery vehicles) only extends to the hammer head for turning and does not continue to the strange and unnecessary entrance onto the field to the West as per the original plan. I would like to see a condition that this could only be used as a pedestrian entrance.

I was pleased that, because this road is to be adopted, the vast majority of new residents will get their rubbish collected from their doorstep.

I notice that in this development the area of open space provided, is still below the level required in the Council's Developer Contributions and Planning Obligations Supplementary Planning Document; however it has been increased during the course of the application and greatly improved. The Parish Council own a large area of wildlife and walking land to the north of this site and it would be extremely helpful if the landowner would allow a short permissive footpath across his remaining land, so that pedestrians and particularly the new residents of this development could safely access it.

In paragraph 8.9 it states "The Housing Officer has also provided the appropriate provisions for the S106 Agreement to ensure that the affordable housing is retained in perpetuity, and that priority is given to local residents or those with local connection". Please could we add "and that priority is given to local residents or those with a local connection" to the end of condition 22.

The original plans had rather boring and unimaginative designs for many of the houses and I am sure that Jeremy Friend-Smith will be pleased that officers have persuaded the applicant to improve them and even to add some chimneys.

In conclusion and in view of the conditions attached I hope that the Committee will be able to agree with the officers recommendations and approve the application.”

The Chairman asked the Head of Planning & Sustainable Development Services to comment on exception sites. Mr Hughes said it was important to deal with them in relation to the adopted policies of the Core Strategy, and Mrs Mills had already taken Members through the criteria. The Village Visions also contained much valuable work with input from the Parish Councils, and would help towards developing future policy. It was intended to retain the exceptions site policy in the new Plan, and this would be a very important approach, without which the District would struggle.

At the invitation of the Chairman, Oliver Cook, ECDC’s Housing Development & Enabling Officer explained how the lettings process worked and the order of priority given to those wishing to apply for affordable housing.

During the ensuing discussion, Members asked questions of the Senior Planning Officer and made comment on a number of points relating to the application.

Councillor Schumann asked whether Anglian Water was happy with the proposed development being so close to the sewage pump, and also whether there had been any liaison with Sanctuary and the developer regarding less development on the site. Mrs Mills replied that Anglian Water considered the distance to be acceptable. There had been no specific request to reduce the number of dwellings and there had not necessarily been a reason to ask the question.

Councillor Hunt recognised the strong need for affordable housing and thought that it should be of good quality, but he wished to highlight a number of issues:

- There were no plans for development to the west of the site, but he wondered whether the landowner would be able to bring something such as a combine harvester through the site. He believed that the farmer’s access could be a “key” to open the way to further development;
- It was essential, these days, to own a car, and he wished to know where they would park in the development, given that each house would be allocated two parking spaces. He thought this would pose a general problem for child safety, especially when there would be no pavements;
- Fifteen dwellings per acre seemed particularly dense;

- Within the spirit of localism, the LPA should listen to local people;
- A safe crossing across Station Road was essential. At the recent Neighbourhood Panel meeting, Inspector Paul Ormerod had expressed the view that the road was dangerous;
- Northumbria Close already got very congested and another 48 vehicles would make matters even worse;
- Nine of the plots did not have access for a fire engine.

Councillor Hunt concluded by saying that he would vote against the Officer's recommendation because he believed 24 houses to be too many for the size of the site.

Councillor Palmer said that by his calculation, the site density was 14-16 dwellings per acre. The crux of the matter was this Council's planning policy and how it was affected by localism. He was not against affordable housing on exception sites but if the local Parish Council was asked for its views and they were subsequently ignored, this put the District Council in a difficult position. If one believed in localism, and he did, then local views should be considered. Whilst appreciating that the houses were needed, he did not feel that he could support the application because of the juxtaposition of the Local Plan and this application coming forward.

Councillor Ambrose Smith said that there had already been a number of occasions when he had questioned decisions made by the Highways Agency, but he believed that "they had really done it this time".

He did not think the access to the site was wide enough and the absence of pavements would be dangerous; for these reasons he would vote against the recommendation.

Councillor Schumann recalled that years ago, affordable housing tended to be situated on the edge of towns and this contributed to the creation of ghettos. He did not feel comfortable with children being so close to what was a dangerous road and asked if there was anything to be done to remedy the problem. Alan Dover, Principal Development Control Officer responded by asking Members to look at the site itself and the outcome of building houses, and then ask themselves whether it would make the road any more dangerous.

Councillor Beckett agreed with much of what had already been said. He too wanted to see affordable housing but questioned the affordability of the site. He believed that addressing the issues of archaeology and the protected species would add considerably to

costs and he asked if the application had to be allowed. He was reminded that County Archaeology was a consultee, and it was for the LPA to set appropriate conditions.

Councillor Palmer said he believed it was the job of Officers to help Members with their decisions, and as no-one was coming forward in support of approval, he would like Officers to help by suggesting on what grounds the Committee could refuse the application.

The Head of Planning & Sustainable Development Services said he could not see how permission could be refused on a legitimate basis and he cautioned Members to concentrate on the criteria to frame their decision.

At this point Councillor Friend-Smith proposed that the Officer's recommendation for approval be accepted, and he called for a recorded vote. This was seconded by the Chairman.

A recorded vote was taken and the result was as follows:

FOR (3): Councillors Friend-Smith, Read, Stevens  
AGAINST (5): Councillors Beckett, Burton, Edwards, Hunt, Palmer  
ABSTENTIONS (3): Councillors Ambrose-Smith, Austen, Schumann

The motion was duly declared lost, and the Chairman reminded Members that if they were minded to refuse the application, they must give the grounds for doing so.

It was proposed by Councillor Palmer and seconded by Councillor Beckett that the application be refused on the following grounds:

- Proximity from the centre of the site to the school;
- The quality of access for pedestrians from the site to the centre of Haddenham

Councillor Friend-Smith requested that a recorded vote be taken.

The Senior Legal Assistant reminded the Committee that Highways had raised no objections to the proposal. If the application was refused and went to appeal, there was a risk of costs being awarded against the Council. The Head of Planning & Sustainable Development Services concurred, adding that significant local opposition to the application was not reason enough to refuse permission.

The Chairman reminded Members that the Planning Committee was a quasi-judicial body and decisions should be based on evidence. If the Committee made a wrong decision because of local pressure this would be quashed and costs awarded on appeal.

Councillor Palmer said he wished to make it clear that he had not proposed refusal because of local pressure or peer pressure. He was worried about the proposed site and the local people who would live there, and he had concerns about the safety of the children because he did not believe that the current access to the centre of Haddenham was safe.

The recorded vote was duly taken and the result was as follows:

FOR (9): Councillors Ambrose Smith, Austen, Beckett, Burton, Edwards, Hunt, Palmer, Schumann, Stevens

AGAINST (2): Councillors Friend-Smith, Read

ABSTENTIONS (0): None

The motion for refusal was declared carried, and

It was resolved:

That the Officer's recommendation for approval be rejected on the following grounds:

- Proximity from the centre of the site to the school;
- The quality of access for pedestrians from the site to the centre of Haddenham.

It was further resolved:

That planning application reference 12/00429/FUM be refused on the grounds as detailed above.

31. **12/00536/VAR – REMOVAL OF CONDITION 7 (COMMERCIAL HOLIDAY LETS) AND VARIATION OF CONDITION 8 (REGISTER OF LETTING/OCCUPATION) IN RESPECT OF AREA 1 ON ACCOMPANYING PLAN C-644P OF PERMITTED APPLICATION 10/00115/VAR – LAZY OTTER MEADOWS, CAMBRIDGE ROAD, STRETHAM**

Scott Jackson, Planning Officer, presented a report which was essentially the same as that presented to the Committee previously, but which contained some further information to address the points raised by Members at the meeting on 5<sup>th</sup> September 2012, when the application was deferred.

In summarising the main points of his report, Mr Jackson drew Members' attention to a tabled paper in which he had set out the wording for a suggested seasonal occupancy condition.

He said that a supporting letter had been received on 18<sup>th</sup> September 2012 from the applicant's agent, stating that the applicant opposed the imposition of a planning condition which would set out a need for a period of non-occupation for the 13 holiday lodges in area 1. The letter went on to state that there was no existing time limitation on the occupation of the holiday lodges within the Lazy Otter Caravan Park, and that they only had to be *made available* for commercial holiday lets for 140 days in any calendar year.

Mr Jackson reiterated that the applicant was trying to regularise the running of his business and if Members were minded to impose a seasonal occupancy condition, they could be putting on an unnecessary condition. Referring to the Good Practice Guide for Tourism (2006), he said that it contained a case study which put forward the argument that there was no need for such a condition.

During the course of discussion the Chairman reminded Members that they must be clear about what they were voting for and in the interests of clarification he asked Mr Jackson to read out Condition 4 of the recommendation.

At the invitation of the Chairman, Mr Page, agent for the applicant, spoke in support of the application and raised the following points:

- The September meeting of the Planning Committee had suggested an additional condition; in his view this was unnecessary and unreasonable;
- The original conditions did not impose a seasonal occupancy condition;
- The 2010 permission required that the holiday lodges be offered to let for 140 days per year. The purpose was to "require", not "insist";
- The owners had found two district markets: those who would buy lodges to let out commercially, and those who would buy for their own use;
- There could still be a condition to say that the lodges could not be occupied as a sole or main residence, only as holiday accommodation. The owners would have to provide details of occupancy; this would be the LPA's control;
- It was unreasonable to want to impose the additional condition.

The Head of Planning & Sustainable Development Services asked the Committee to consider the Officer's recommendation and the proposed conditions as detailed in the report. He reiterated that the

accommodation would be used for holiday purposes only and the owner would have to keep a register, to be made available for inspection by the LPA at all reasonable times.

Councillors Hunt and Beckett expressed concern that without the seasonal occupancy condition, the lodges could be occupied residentially and the Authority could be laying itself open to development in the countryside.

Councillor Stevens believed that what mattered was the residents, because the lodges could pass from family to family. He thought that Condition 4 should be amended to read "... and no **occupier** must exceed 28 days". Mr Jackson reminded him that the wording had been taken from the 2010 permission and could not be changed. When put to the vote:

It was resolved:

That planning application reference 12/00536/VAR be approved, subject to the conditions as detailed in the Officer's report.

The meeting closed at 4.10pm.

Chairman:

Date: 7<sup>th</sup> November 2012