



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held at 2:00pm on Wednesday 7th December 2022 in the Council Chamber at The Grange, Nutholt Lane, Ely, CB7 4EE.

PRESENT

Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Julia Huffer (Substitute for Cllr Lisa Stubbs)
Cllr Bill Hunt (Chairman)
Cllr Alec Jones
Cllr John Trapp
Cllr Gareth Wilson

OFFICERS

Holly Chapman – Senior Planning Officer
Simon Ellis – Planning Manager
Caroline Evans – Senior Democratic Services Officer
Anne James – Planning Consultant
Gavin Taylor – Planning Contractor
Angela Tyrrell – Senior Legal Assistant
Adeel Younis – Legal Assistant

IN ATTENDANCE

Anne Fenn (Objector, Agenda Item 5 / Minute 58)
Ruth Gunton (Applicant's Agent, Agenda Item 5 / Minute 58)
Michael Smith (Applicant's Agent, Agenda Item 6 / Minute 59)
Rebecca Smith (Applicant's Agent, Agenda Item 7 / Minute 60)

5 other members of the public.

Sarah Parisi – Senior Support Officer
Hannah Walker – Trainee Democratic Services Officer
Melanie Wright – Communications Officer

54. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllrs Sue Austen, Matthew Downey and Lisa Stubbs.

Cllr Julia Huffer was attending as a substitute for Cllr Stubbs.

55. DECLARATIONS OF INTEREST

Cllr Every declared an interest in Agenda Item 5 (Rear of 30-36 Market Street, Ely) and stated that she would speak as Ward Councillor and then leave the meeting for the remainder of that item.

Cllr Huffer declared that she was predetermined on Agenda Item 6 [Phase 1a (Perimeter Road) Kennett Garden Village, Land Southwest of 98-138 Station Road, Kennett] and stated that she would speak as Ward Councillor and then leave the meeting for the remainder of that item.

56. MINUTES

The Committee received the Minutes of the meeting held on 3rd November 2022.

It was resolved:

That the Minutes of the Planning Committee meeting held on 3rd November 2022 be confirmed as a correct record and be signed by the Chairman.

57. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked all Members and Officers for their hard work in 2022 and wished everyone a happy Christmas and New Year.

58. 21/01832/FUL – REAR OF 30-36 MARKET STREET, ELY

Holly Chapman, Senior Planning Officer, presented a report (X123, previously circulated) recommending refusal of an application seeking consent for the erection of a detached part single-storey and part two-storey building together with the conversion and extension of an existing store within 30 Market Street to create a total of four flats. Various associated works were included in the application.

Members' attention was drawn to the previously-circulated update sheet which had included an amended sun study to correct errors in the March 8am and 11am illustrations. On the basis of the revised information, the Senior Planning Officer considered that the second of her two reasons for refusal could be removed, although Members were reminded that the revised plan had not been formally consulted upon. The update sheet also explained why a pre-commencement investigative contamination condition would no longer be required should Members approve the application.

A location plan, aerial photograph and multiple photos were provided to illustrate the site's position within Ely city centre and its proximity to the Woolpack Yard development. Site layouts, floor plans, elevations and CGIs were also shown.

The main considerations for the application were deemed to be:

- **Principle of development** – the site was located within the development envelope of Ely and the principle of back-land development was acceptable in the location given a contextual analysis. There was no detrimental loss of retail floorspace that would conflict with policy COM2 and the contributions such as CIL would be in line with the requirements of policy GROWTH3. However, the scheme was not considered to align with the objectives of policy GROWTH5 in terms of securing healthy living conditions for all occupiers and improving the social conditions of the area.
- **Residential amenity** – one flat would be smaller than the Nationally Described Space Standards, but that was not an adopted policy of the Planning Authority and therefore, although it weighed against the scheme,

it was not a reason for refusal. Overall a good level of residential amenity would be provided for the prospective occupiers of the flats and for the existing and prospective occupiers of the Market Street properties. However, there were concerns that the scale and proximity of the proposed dwellings to the Woolpack Yard development would represent an overbearing and oppressive development that have a significant detrimental effect on the residential amenity of existing and prospective occupiers of Woolpack Yard. In terms of residential amenity the application was therefore considered to be contrary to policy ENV2 and the NPPF.

- **Character, Appearance and Heritage** – the proposal was considered to be a high-quality design that would result in a net enhancement to the streetscene and Conservation Area, its setting and significance. No objections had been raised by the County Council Historic Environment Team regarding archaeological heritage assets subject to a Written Scheme of Investigation. The proposed development was therefore considered to comply with the NPPF, the Design Guide, the Ely Conservation Area Appraisal, and policies ENV1, ENV2, ENV11, ENV14 and HOU2 of the Local Plan 2015.
- **Highways, Parking and Access** – the proposed development was car-free with four parking spaces (two per unit) retained for the existing Market Street retail premises. There would be no significant increase in vehicle movements associated with the application site and waste collection or deliveries would follow the existing arrangements for the flats above the Market Street retail units. The proposal was therefore considered to be compliant with the NPPF and policies COM7 and COM8 of the Local Plan 2015.
- **Other matters** – the proposed development was considered to be acceptable with regard to climate change impacts, contamination and pollution impacts, flood risk and drainage, and biodiversity, ecology and trees impacts.

In summary, the application was considered to be contrary to the NPPF and policies GROWTH2, GROWTH5 and ENV2 of the Local Plan 2015. It was recommended for refusal due to the significantly detrimental residential amenity impacts it would have upon the existing and prospective occupiers of the Woolpack Yard development.

The Chairman invited Anne Fenn, an objector to the application, to address the Committee. She explained that she spoke on behalf of Woolpack Yard residents who were concerned about the overall effect of development so close to their homes. They understood the need for new sympathetically designed affordable homes but considered that the proposed scheme was too large for the site; two flats and/or lower height building would be more appropriate. Concerns were also raised about the noise of construction and of the proposed electric gates. Regular access for emergency vehicles was required as well as frequent visits from carers and the current issues with Woolpack Yard parking would be worsened by the reduction in available spaces. Similarly, parking for staff at the nearby businesses would be affected and residents were concerned about disruption caused by building supply deliveries in the confined space.

Due to the parking concerns raised, Cllr Trapp asked whether Woolpack Yard residents or visitors were parking within the application site. The objector explained

that the installation of the electronic gate would reduce the car parking available for Woolpark Yard because it would prevent drivers from being able to manoeuvre into some of the existing spaces.

Cllr Jones questioned whether the noise concerns were related to the proposed gates or construction noise, and asked whether there were any staff for Woolpack Yard. The objector stated that both noise issues were of concern, and explained that window cleaners and cleaners visited regularly as well as carers attending multiple times each day for some residents. A scheme manager was also on-site two days each week.

Responding to the objector's suggestion of more appropriate schemes for the site, the Chairman explained that the Committee would only be able to approve or refuse the application as submitted. It would not be possible, for example, for them to reduce the size of the development to two flats.

The Senior Democratic Services Officer read aloud a statement from the residents of 32 Market Street, a flat over one of the retail units bordering the application site:

"To confirm, we are still and will continue to be strongly opposed to this application. There are many reasons for this, not least the inconvenience of the works themselves - restriction of access during the works, noise of construction during the day (I am a shift worker and sleep during days), the hazards of essentially living on an active building site for months on end. The current application appears to remove all of our right of access via any motor vehicle. It also takes away our designated parking space.

It is already difficult at times to gain access to the flat as the road by NatWest is blocked by cars and Woolpack Yard frequently has cars double parked leaving a very small gap for cars to drive down, and as this is a two-way street, this leaves opportunity for accidents, especially with elderly residents around. I cannot imagine this will be improved by current plans!

I would like to point out that those in favour of the original planning application come from those who do not live in the area (one far away as Huntingdon) and will not be directly affected by the works in any way!

Is all this trouble really worth it for only 4 additional studio flats?"

On the invitation of the Chairman, Ruth Gunton, agent for the applicant, addressed the Committee. She stated that the proposal would provide much-needed rental accommodation on a brownfield site in central Ely and cited an estate agent's figures regarding the increased demand for rental properties and the reduced availability of suitable properties. The applicant had more than 24 years of experience in the residential property market with more than 100 tenancies per year although this would be their first construction project. They owned the two business units together with the existing flats and the land to the rear; this scheme would be a long-term investment. The Senior Planning Officer had stated that the proposal met all policy requirements except regarding neighbouring amenity and therefore the Committee would need to carefully consider the Planning balance. The site was in a city centre location where close proximity to neighbours could reasonably be expected, and the Woolpark Yard building was positioned close to

its own boundary. Regarding the concerns of overbearing, the site owner could replace the wire boundary treatment with a 2m closeboard fence under permitted development rights and that would also impact upon Woolpack Yard. The high-quality site design had resulted from close collaboration with the architects and had been commended by the Conservation Officer. It would provide greater security to alleviate the anti-social behaviour currently experienced on the unused land. All four existing car parking spaces would be retained and there would be no spaces for the new dwellings. The Council could impose conditions to address concerns regarding construction times and the electronic gate, therefore Members were urged to approve the scheme as a high-quality development of a brownfield site in central Ely.

Cllr Ambrose Smith asked for further clarity regarding parking provision, following the concerns raised by the objectors. The applicant's agent explained that there were currently two spaces for each of the two Market Street businesses, and all four would be retained. Any parking relating to Woolpack Yard was informal and not part of the lease or required by any Planning conditions. Regarding noise from the proposed electronic gate, the Council could impose a suitable condition and there was already a sliding gate in place on the narrow access from Market Street. Cllr Hunt questioned how the shop workers currently accessed the parking and, having been informed that they could enter *via* Woolpack Yard or Market Street, asked for confirmation that if the scheme was approved future access would only be *via* Woolpack Yard. The agent explained that the current narrow vehicular access from Market Street would be blocked off leaving Woolpack Yard as the only access point, and stated that this would be safer for pedestrians. She also confirmed to Cllr Hunt that each Woolpack Yard resident had a single-storey home within the building.

Responding to a query from Cllr Trapp about the need for a new gate since there was no gate at present, the agent explained that it would provide delineation of the site as well as security for future residents. Cllr Trapp then asked why the orientation of the building had been designed in such a way that the two-storey section was closest to Woolpack Yard and therefore negatively impacting their sunlight. The agent stated that a Planning balance was needed for any site and in this case the layout also considered the neighbouring impact to Market Street properties. The applicant had sought a design that would maximise what could be delivered within the constraints of the site.

Cllr Brown asked whether any attempts had been made to provide a more acceptable size for the fourth flat. The agent provided information from a letting agent who considered that the size would not deter potential tenants as long as the specification was good, and on further questioning confirmed that the applicant had not attempted to increase the size. Responding to additional questions from Cllr Hunt, the agent stated that the smallest flat would be 29 sqm which was below the recommended Nationally Described Space Standards but would be of a high specification, and reminded Members that the Standards had not been adopted by the Council.

Speaking as a Ward Councillor for Ely East, Cllr Lis Every thanked the Senior Planning Officer for her hard work and assistance. She highlighted the thriving nature of Ely and stated that there was a shortage of living accommodation and work space within the city centre. Creative development of empty accommodation

above retail premises and infill spaces behind existing buildings. Four additional flats would increase the rental stock, for which there was already demand. The infill would also resolve the anti-social behaviour that occurred in the dark and hidden space that currently existed. There had been no objections from statutory consultees including the City of Ely Council, and the Conservation Officer had no objections subject to certain conditions being met. City centre buildings were generally in close proximity to each other and there was no requirement for car parking for new flats in central locations. Given the need for small rental accommodation in the centre of Ely, and the differences in opinions regarding proximity to Woolpack Yard, she had requested that the application be considered by the Planning Committee in order that it would benefit from the additional scrutiny to determine whether or not the benefits would outweigh any issues of potential harm.

Cllr Jones referenced an approved application at the previous Planning Committee meeting that would provide almost 80 rental properties in Ely, and asked whether the current application remained necessary in light of the recent approval. Cllr Every replied that the application under consideration was for a city centre location, rather than being on the outskirts of Ely, and she considered that the city would benefit from developments such as this that would utilise spaces above and behind central buildings.

When asked by Cllr Trapp for her opinion regarding the proximity to Woolpack Yard, Cllr Every reiterated that the difference of opinion between the applicant and the Officer, both of whom she respected, was the reason for her call-in.

2:46pm Cllr Every left the meeting for the remainder of the item.

Responding to points raised by the public speakers, the Senior Planning Officer provided the following further information and clarification:

- The principle of development at the application site was acceptable, the Officer's concern was regarding the amenity of the neighbours.
- The development would be car-free. It was currently used for parking related to the Market Street retail units and there was no formal arrangement for parking related to the existing Market Street flats or Woolpack Yard.
- Environmental Health had not raised any concerns about the noise of the gate but Members could add a condition if they considered that to be necessary and were minded to approve the application.
- The proposed single storey was closer to Market Street and therefore protected the amenity of the Market Street properties more than that of the Woolpack Yard development.

Following a request from Cllr Brown for further information about size guidance, the Senior Planning Officer explained that the Nationally Described Space Standards were not an adopted policy of ECDC and therefore although it was a material consideration it was not part of the reason for refusal. Members would need to look at the Planning balance in determining whether or not to permit accommodation that did not meet the recommended size standards.

Cllr Jones asked for further information about outside storage, the gate mechanism, the site layout and the height of the non-dormer roofline adjacent to Woolpack Yard. The Senior Planning Officer stated that there would be bin and

cycle storage although details had not yet been provided. The gates would most likely swing in since they could not open over land that was not part of the site, but details had not been provided. Various aspects of the roofline in relation to the Woolpack Yard development were discussed with the aid of the Officer's presentation slides, and Members were informed that the eaves height of the non-dormer section nearest to the Woolpack Yard development was 4.3m.

Responding to several queries from Cllr Trapp, the Senior Planning Officer explained that the original sun studies had been inaccurate for 8am and 11am in March so updated versions had been received and had been circulated to Members with the update sheet. As a result of receiving the revisions, the refusal reason regarding the sun studies and overshadowing/loss of light could be removed although Members were reminded that the update had not been formally consulted on and the sun had been of concern to Woolpack Yard residents. There were no CGIs for the small flat and no parking would be permitted in the alleyway.

The Chairman then opened the debate. Cllr Ambrose Smith was broadly supportive of the application, citing the benefit of providing four small flats in central Ely. She considered that a well-designed and well-kept site would be an improvement over the existing outdoor amenity space. Regarding some of the concerns raised, she was satisfied that deliveries successfully occurred in cramped settings nationwide and Planning conditions could address working hours and noise concerns. Cllr Wilson agreed that the proposal would improve the immediate area and commented that small properties were in demand but in low supply. He considered that the impact on Woolpack Yard of single storey and sloping roof would not be too great.

Cllr Jones agreed that the design was good and the provision of four small flats would be positive. However, he agreed with the Officer's assessment that the scheme would be too close to Woolpack Yard and would cause overshadowing. Cllr Brown also considered the mass of three flats would be too close to Woolpack Yard and he objected to the size of the fourth flat. He therefore proposed that the application be refused as recommended by the Senior Planning Officer. Cllr Trapp seconded the proposal due to the impact on Woolpack Yard although he stated his support for the principle of developing the semi-derelict space and providing small flats in a central location. Cllr Hunt recognised both the benefits and the concerns of the scheme but overall considered that high standards should be set and concluded that he would support the Officer's recommendation.

It was resolved with 6 votes in favour, 2 votes against and 0 abstentions:

That planning application ref 21/01832/FUL be REFUSED for reason 1 detailed in paragraph 1.1 of the Officer's report.

3:10pm Cllr Every returned to the meeting.

59. 22/00471/RMM – PHASE 1A (PERIMETER ROAD) KENNETT GARDEN VILLAGE, LAND SOUTHWEST OF 98-138 STATION ROAD, KENNETT

Anne James, Planning Consultant, presented a report (X124, previously circulated) recommending approval of a reserved matters application seeking permission for the perimeter road (phase 1A) relating to the Kennett Garden Village which had

received outline permission in April 2019 (18/00752/ESO). The application had been brought before the Committee for decision due to the size and scale of the development and the public interest.

Members were shown a site plan and various photos of the site and surrounding area, together with a phasing plan for the wider Kennett Garden Village site. The application for the perimeter road was the first of the reserved matters applications relating to the development and was solely concerned with the perimeter road that would provide access to the site. New roundabouts would be installed at the junctions with Dane Hill Road to the north and Station Road to the south.

The main considerations for the application were deemed to be:

- **Principle of development** – the principle of constructing a garden village extension to Kennett was agreed at outline stage in 2019. That permission had dealt with up to 500 dwellings, a village core / local centre, an elderly care centre, a village green, the Tumulus Meadows (a Scheduled Ancient Monument), a primary school, an enterprise park, and the perimeter road and new junctions. The current application accorded with the principles established in the outline permission and was therefore acceptable in principle.
- **Residential amenity** – there were no dwellings in the application and therefore the sole consideration regarding residential amenity would be the impact of the proposal on existing residents. It was recognised that during the construction phase an impact would be felt, but the proposed mitigation would keep the degree of harm to an acceptable level. Once operational, the residential amenity of the existing occupiers would be considerably improved since HGV traffic would use the new road rather than Station Road and Dane Hill Road.
- **Visual amenity** – photographs and site plans illustrated the proposals for the northern and southern sections of the road. The Design Code described a “Woodland Edge” to the north that would extend the existing wooded character in Dane Hill Road. To the south, small pockets of trees and shrubs would be planted with meadow grassland and wetland grass mixtures. The communal allotments would also be located along the southern section.
- **Highways** – from the northern roundabout to the roundabout in the centre of the site the speed of the road would be unrestricted 60 mph; the distance from there to the southern roundabout would be a 30 mph section. The total road length would be 0.75 miles. Plans were shown including the shared cycleway and footpath that would be alongside the whole length of the road.
- **Ecology and Green Infrastructure** – landscaping, biodiversity and green infrastructure would be important in the evolving nature of Kennett Garden Village’s natural environment. The information provided with the reserved matters application provided a sound basis for the management and enhancement of habitats and species across the site.
- **Other matters** – the application was considered acceptable in terms of the historic environment and flood risk and drainage.

In summary, the application represented the first phase of development for a site with outline permission and was considered to accord with both national and local Planning policy. It was therefore recommended for approval.

On the invitation of the Chairman, the applicant's agent, Michael Smith, addressed the Committee. He explained that the perimeter road would be to the west and south of Kennett Garden Village and would be the principal entrance to the scheme as well as a bypass for the existing homes in Kennett to relieve the traffic along Station Road. The wider scheme was an infrastructure-led community development and the route of the perimeter road had been determined at outline stage. The specifics provided in the reserved matters application met with the required technical standards and accorded with the necessary principles. The applicant had worked with the Community Land Trust (CLT) and the District and County Councils during the development process. Details were given regarding the wider scheme and its community benefits, and it was emphasised that the perimeter road would be the first step in the creation of Kennett Garden Village by providing access and the landscape setting as well as a bypass for Kennett that would enable the new and existing village to integrate and residents to safely cross the road between the two.

Cllr Trapp asked for further details about the cycle path crossing the road at the southern roundabout, in particular whether there would be an underpass. The applicant's agent explained that the cycleway and footpath would be on a level throughout; there was an island for pedestrians and cyclists to wait and the roundabout design met the standards required by the County Council.

The Chairman then invited Cllr Huffer, Ward Member for Fordham and Isleham (the Ward in which Kennett was situated), to address the Committee. She highlighted that traffic through Kennett, particularly past the school and the Station Road properties, was regularly discussed at Kennett Parish Council meetings, and there had been a commitment at an early CLT meeting that the Kennett Garden Village development would be infrastructure-led. The CLT Board had worked hard to deliver the commitment and she thanked both the CLT and the developer, Bellway, for their hard work. She agreed with the Officer's recommendation that this first phase of development should be permitted.

Cllr Trapp referenced a recent meeting with Sustrans that had emphasised the importance of high standards when creating cycle paths. He stated that the inclusion of an underpass when the road and cycleway were being constructed would be beneficial. Cllr Huffer commented that the railway bridge had been restricted to vehicles under 7.5 tonnes which meant that there was no heavy traffic or a high volume of traffic, and commented that proposals needed to be in proportion to the need. Cllr Wilson asked why one section of the road would be have a 30mph limit and the rest be unrestricted. Cllr Huffer replied that the Parish Council had requested 30mph for the whole length, or a maximum of 40mph but the County Council had disagreed. Cllr Hunt reminded the Committee that only Planning matters were for consideration, and not speed limits.

3:30pm Cllr Huffer left the meeting for the remainder of the item.

Responding to comments raised in the public speaking section, the Planning Consultant explained that the speed limit at the southern crossing point would be 30mph, compared to the 40mph B1085 that residents were currently crossing in that area, and vehicles would necessarily be travelling below the limit due to the proximity of the roundabout. She added that the scheme had passed the Road Safety Audit which indicated that it would be safe for pedestrians and cyclists.

Regarding the 60mph section, there had been much discussion between the County Council, the developer, the Local Highways Authority, and the police. The police required the northern stretch to be unregulated and therefore the speed limits on the proposed road would be as previously stated.

Cllr Brown asked whether the Planning Committee had any role relating to speed limits. The Planning Consultant confirmed that they did not. Cllr Jones asked what type of crossings would be provided and Cllr Trapp reiterated his request for an underpass to be included in the design since it would improve cycling in the area and would be easier and cheaper to do at the construction stage than if one was added at a future point. The Planning Consultant stated that she understood the crossings would be zebra crossings. The Chairman reminded Members that the application would need to be approved or refused by the Committee without design alterations and he then opened the debate.

Cllr Every considered the Officer's report to have been thorough and was impressed that the Ward Member said all parties had worked well together on the application. She therefore proposed that the Officer's recommendation for approval be accepted. Cllr Hunt seconded the proposal and stated his support for the infrastructure-led principle and the benefits to existing residents of installing the bypass prior to construction of the dwellings and other buildings. He highlighted the number of consultees that had either responded in favour of the application or offered no comment, and that there were no objections.

Cllr Trapp stated that he would be unable to support the proposal without the addition of a condition requiring an underpass. He considered the cycle infrastructure to be paramount for a new development of such a scale.

Cllr Brown drew attention to condition 5 relating to highways matters and expressed his agreement with Cllr Every's proposal. Cllr Jones also offered his support.

It was resolved with 7 votes in favour, 1 vote against and 0 abstentions:

That planning application ref 22/00471/RMM be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer's report.

3:43 – 3:50pm the meeting was adjourned for a comfort break, during which Cllr Huffer returned to the meeting.

60. 22/00507/RMM – LAND ADJACENT 43 MEPAL ROAD, SUTTON

Gavin Taylor, Planning Contractor, presented a report (X125, previously circulated) recommending approval of a reserved matters application in respect of the layout, scale, appearance and landscaping for 164 dwellings and associated infrastructure. Outline permission had been granted for the site in April 2022 (19/01707/OUM) and required details regarding biodiversity, noise, energy and sustainability to be agreed prior to or in conjunction with a reserved matters submission: these matters had been included with the application.

Members' attention was drawn to the update sheet that had been circulated on 5th December which included updated conditions superseding those in Appendix 1 of the report. A further condition was also requested regarding the materials used for

driveway and road surfacing in respect of drainage requirements. The changes were considered to be minor and did not alter the Officer's recommendation of approval subject to the revised conditions.

A location plan and aerial image showed the site's location to the north of Sutton with the A142 at the north east corner, agricultural fields to the north and west, and residential areas to the south. In policy NP4 of the Sutton Neighbourhood Plan the site had been allocated for residential development of approximately 250 dwellings with community facilities. A scheme for 70 dwellings was nearing completion and abutted the south east corner of the site, known as "phase 1". Multiple photographs of the application site were provided from different locations around its boundary.

The main considerations for the application were deemed to be:

- **Principle of development** – the principle of development had been established with the outline permission and as a result of policy NP4 of the Sutton Neighbourhood Plan. The proposed 173 dwellings would include 30% affordable homes, with a mix of rental and shared ownership, and 5% self-build plots. Two sports pitches and a burial ground would be provided as well as open spaces.
- **Layout (including Highways)** – the proposed scheme included a main spine road with footways on either side. Leading from the central spine road would be secondary roads which in turn lead to tertiary streets and private drives that generally served less than five dwellings. There would be two parking spaces per dwelling, with the exception of the 1-bed maisonettes, as well as visitor parking. A pedestrian cycle link and emergency vehicular access to Stimpson Street in the south was proposed and there would be further informal paths to the south, into the sports pitches to the west, and around the informal open space. A landscape buffer would be provided across the north of the site and SuDS swales and landscaping would create a buffer between existing developments to the south. Affordable homes were dispersed across the site and the self-build plots were located to the north west.
- **Visual amenity** – a mixture of house types and finishes were proposed including single storey, two storey and 2.5 storey with bedrooms in the roofspace. Some buildings would have chimneys and buildings at key corners would be rendered. Dwellings would be fairly uniformly spaced along the spine road and more loosely knit nearer the edges of the site to aid the rural transition.
- **Landscaping (including Biodiversity)** – a comprehensive landscaping scheme had been provided that demonstrated a net gain in biodiversity could be achieved. Details were provided regarding hard and soft landscaping throughout the site. A bund would be located at the north east corner of the site with planting on the top and along the banks to provide noise defence and screening of the A142.
- **Residential Amenity** – there was considered to be good separation between existing and proposed dwellings to remove the risk of overlooking, overshadowing and visual dominance. The proposed dwellings were adequately spaced with sufficient on-site parking and appropriate lighting. The development's main constraint was noise, as identified at the outline stage, and required suitable mitigation for the properties to the northern and north eastern edge whose first floors would not be shielded from the A142 by the proposed bund. The applicant had undertaken a noise impact

assessment, details of which were provided which identified that two storey dwellings were necessary at the perimeter to defend the wider site. The internal arrangement of rooms in the affected dwellings had been altered, and additional windows provided where possible, to achieve the maximum number of rooms where open windows would not result in internal noise levels above acceptable limits. Nonetheless, a small number of properties would need to rely on mechanical ventilation to some rooms and three properties would be fully reliant on mechanical ventilation for all bedrooms. In all cases the windows could be opened but, in worst case scenarios, the internal noise levels could then exceed 50dB. Whilst recognising that the requirement for mechanical ventilation was not ideal, on balance it was considered to be acceptable in this instance.

- **Drainage** – no objections had been received regarding drainage and, subject to final agreement from the Lead Local Flood Authority under a separate conditions discharge application, the drainage was considered to be acceptable.

In summary, the development would largely accord with the concept plan in policy NP4 of the Sutton Neighbourhood Plan. It offered good connectivity to the wider settlement and appropriate landscaping would lead to an acceptable visual impact and a net gain in biodiversity. On balance, whilst a minority of properties would rely on mechanical ventilation of some first-floor rooms, it was considered that high levels of amenity would be achieved across the site. Members were therefore recommended to approve the application.

The Chairman invited the applicant's agent, Rebecca Smith, to address the Committee. She informed Members that she had also been the agent for the outline stage and she thanked the Planning Consultant for his thorough report and recommendation for approval. She emphasised the developer's willingness to work with Officers, the Parish Council, consultees and residents in planning the scheme and she highlighted the lack of technical objections. She stated that the development was well designed and would result in an attractive place to live with many trees having been included to provide a pleasant environment.

Cllr Ambrose Smith asked about the noise levels in first-floor rooms at the site boundary and questioned why bungalows had not been planned for those locations. The agent stated that the noise from the A142 was a known constraint for the site and explained that the taller buildings would provide a barrier for the rest of the site whereas modelling had shown that single storey buildings at that location would result in negative impacts for the rest of the site. Cllr Trapp asked about noise mitigation to the east of the SuDS and was informed that the attenuation basin had been located there due to engineering requirements and various bund designs and locations had been explored at the outline stage.

Responding to questions from Cllr Huffer about play equipment provision, the agent informed Members that there was a play area on phase 1 to the south east and there would be a play area of approximately 400sqm near to the self-build properties as well as more natural play along the northern open space. All play areas would be as accessible as possible.

Cllr Wilson requested further information about the adoption of the roads and about access for waste collection vehicles. The agent explained that the applicant had

worked with County Highways and the spine road and secondary roads would all be adopted whereas the tertiary roads and private driveways would not be. Bin lorries could travel along all secondary roads and use the turning heads so residents on the tertiary roads would take their bins to collection points, the specifics of which would be included in the detailed design. Responding to a question from Cllr Jones, she added that there would be some on-street cycling and footways along the spine road and there was a condition regarding the delivery of the northern footpath.

The Planning Consultant reiterated that the bund would only protect the ground floor of properties from road noise and that all numbers provided had been for worst-case scenarios. In order to protect first floor rooms to the same degree an acoustic fence or bund would likely need to be over 6m tall which would be unacceptable from a visual impact perspective. He considered that the applicant had done all that was possible in respect of the noise constraint.

The Chairman then opened the debate. Cllr Brown commended all those involved in producing the desirable scheme and highlighted that the lack of comments from the Parish Council or Ward Members on a scheme of this size demonstrated how well it had been designed. He proposed that the Officer's recommendation of approval subject to the revised Appendix 1 and the additional surface condition be agreed. Cllr Every seconded the proposal and Cllr Ambrose Smith also agreed.

Cllr Trapp thanked the applicants for a professional application but questioned whether a condition could ensure that self-build plots were appropriately priced. The Planning Consultant explained that self-build matters were agreed at the outline stage and would likely be in the S106 agreement. Cllr Huffer agreed with Cllr Trapp regarding unduly high pricing and suggested that a policy should be devised regarding the marketing of self-build plots. Cllr Wilson suggested that the price should be reduced until a plot sold, at which point the market price for remaining plots could be set at the sold price.

It was resolved unanimously:

That planning application ref 22/00507/RMM be APPROVED subject to the recommended conditions detailed in the previously-circulated updated Appendix 1 of the Officer's report¹ together with an additional condition concerning road surfaces:

"Prior to works proceeding above ground level, specific details of the surfacing for each road serving the development shall be submitted to and agreed in writing by the Local Planning Authority."

61. PLANNING PERFORMANCE REPORT – OCTOBER 2022

Simon Ellis, Planning Manager, presented a report (X126, previously circulated) summarising the performance of the Planning Department in October 2022. He

¹ a) Updated plan schedule under condition 1 to correct plan version numbers, delete duplicate plans, and include two previously-omitted plans relating to biodiversity strategy and metric assessment.

b) Amended condition 6 to separate out the timing of the biodiversity enhancement measures.

c) Amended condition 9 to clarify that driveways serving each property are to be completed prior to occupation of said property.

explained to Members that Government requirements for the determination of “majors” on time was a rolling 2-year average of 60% and for all other applications was a rolling 2-year average of 70%. The figures in the report clearly showed that the Council was performing considerably above that level in all areas: the targets within the report were Council targets rather than Government targets. Officers were currently looking to improve the methods for requesting an extension of time in order to simplify the process. Following recent interviews, a new Planning Officer had been appointed to start in January and a Senior Planning Officer in March. They would join teams 2 and 4 and between them they would bring over 20 years of experience to the department. These appointments reduced the vacancy levels to two and therefore two Planning Contractors would be retained with no further recruitment planned in the short term. The Planning Support Team was fully staffed. Applications remained high, with approximately 150 received in October.

Following questions from Cllr Jones, the Planning Manager explained that where an extension of time was agreed the application was considered to have been determined on time. The majority of major applications did require extensions of time but this was less common for minor and householder applications.

Regarding enforcement, Cllr Brown questioned why the report recorded that two notices had been served but only provided details of one: the Planning Manager committed to checking.

It was resolved:

That the Planning Performance Report for October 2022 be noted.

The meeting concluded at 4:37pm.