



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee
held in the Council Chamber, The Grange,
Nutholt Lane, Ely on Wednesday, 9th January 2019
at 2.00pm

P R E S E N T

Councillor Joshua Schumann (Chairman)
Councillor Christine Ambrose Smith
Councillor Sue Austen
Councillor Derrick Beckett
Councillor Paul Cox
Councillor Lavinia Edwards
Councillor Mark Goldsack
Councillor Bill Hunt
Councillor Stuart Smith

OFFICERS

Maggie Camp – Legal Services Manager
Toni Hylton – Planning Officer
Catherine Looper – Planning Officer
Janis Murfet – Democratic Services Officer
Andrew Phillips – Planning Team Leader
Rebecca Saunt – Planning Manager

ALSO IN ATTENDANCE

Councillor Steve Cheetham (Agenda Item No 6)
Councillor Mark Hugo (Agenda Item No 6)
Approximately 26 members of the public

104. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors David Chaplin and Mike Rouse.

There were no substitutions.

106. DECLARATIONS OF INTEREST

There were no declarations of interest.

107. MINUTES

It was resolved:

That the Minutes of the meeting held on 5th December 2018 be confirmed as a correct record and signed by the Chairman.

108. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- He wished a happy New Year to all present;
- On behalf of the Committee, he welcomed back Councillor Austen following her absence due to ill health;
- A breakfast meeting for agents was to be held at the City of Ely Council offices on 17th January. Committee Members were welcome to attend and should let the Planning Manager know if they wished to do so.

109. 18/00579/ESF – TURNERS (SOHAM) LTD, FORDHAM ROAD, NEWMARKET, CB8 7NR

Andrew Phillips, Planning Team Leader, presented a report (reference T168, previously circulated) which sought permission for the erection of a 8,982 square metre (96,681 square feet) frozen goods warehouse, a replacement lorry park (for the storage of lorries), SuDS and a new bund along the northern boundary.

The application was supported by an Environmental Statement in order to cover the significant issues of potential impact on the highway network and the character of the area.

The Planning Team Leader introduced Kasia Gdaniec, Senior Archaeologist, Cambridgeshire County Council, who was present at the meeting to answer any questions from the Members.

On a point of housekeeping, Members were asked to note the following:

- The depth of the proposal would be 135 metres, and not 1,350 metres, as stated in paragraph 2.2;
- The Lead Local Flood Authority had now removed its objection regarding the ground water level and in the light of this, part of Condition 7 would be amended.

The site was just over a mile south of Fordham and 3.5 miles north of Newmarket on the A142. To the north and west was open countryside; the LGC site was to the east and to the south was DS Smith. The A142 defined

the north and east boundary, with the railway line defining the west boundary. Cambridge was approximately 15 miles to the south west and accessed south of the site at Junction 37 onto the A14.

It was noted that the application had been called in to Planning Committee due to the size of the proposal and in accordance with the Council's Constitution.

A number of illustrations were displayed at the meeting, including a map, an aerial image, the layout of the proposal, cross sections of the existing and new bund, a site plan and the proposed elevations.

The main considerations in the determination of the application were:

- Principle;
- Impact on the highway(s);
- Residential Amenity;
- Visual Impact;
- Historic Environment;
- Ecology; and
- Drainage.

The Planning Team Leader stated that the extension element of the proposal was within the existing Turners compound. Policies GROWTH 1, EMP2 and FRD7 in the Adopted Local Plan and FRD.E1 in the Submitted Local Plan promoted storage/warehouse (B8) use class in this area. The proposal for a B8 warehouse for frozen goods to be used as part of the Turners operation on site was therefore supported in principle.

It was proposed to move the current lorry storage area to a new location and the new lorry park was covered by Policy FRD 7 of the Adopted Local Plan, which allowed for B8 use class development. The proposal was therefore supported in principle.

Members were reminded that this area of the District was defined by employment sites and the economic benefits of promoting economic growth for all businesses in this area weighed heavily in favour of the application.

With regard to impact on the highway, the submitted Environmental Statement concluded that frozen storage would drastically reduce the number of traffic movements. Evidence from the Food Storage & Distribution Federation stated that while chilled goods lorries usually left the site 85% - 95% full, frozen goods lorries left 98% - 100% full; for every 10 fridge lorries, only 9 frozen goods lorries would be needed.

The development would lead to a reduction in lorry movements entering/leaving the site by approximately half. The proposal would therefore have no impact on the wider highway network, but this was based on the presumption that existing chilled space was transferred to frozen goods only in perpetuity. A condition to control the loss of chilled space was therefore

fundamental, otherwise the application would be refused on lack of a Transport Assessment and the failure of the developer to mitigate against the harm identified in the Environmental Statement.

It was noted that Turners had offered £15,000 towards improvements to public transport/footpaths in the area and on balance this was considered to be a relatively reasonable contribution. The proposal would also lead to 18 more employees which would result in only a very modest increase in traffic entering and leaving the site.

Speaking next of residential amenity, the Planning Team Leader stated that by virtue of its location, the proposed development was not considered to cause any undue overbearing, loss of light or loss of privacy to any residential property. The greatest danger would arise if there was a substantial leak of Anhydrous Ammonia, but this chemical was an existing danger on the site. It was considered that due to the distance from the residents of Fordham and that no additional ammonia was being stored on site, the risk to human health and life was very low from the proposal.

The use of a Construction Environmental Management Plan (CEMP) condition would ensure no detrimental harm to residential amenity from construction work.

It was considered that the proposal, subject to conditions, would not have a significant impact on the visual character of the area. Members noted the photographs of the proposed extension and the cross section of the new bund, which served to illustrate the current view and how it would look in the future. Suitable tree planting would obscure most of the existing and proposed site from those travelling along the A142 by creating a natural 'green barrier'. Conditions 8 and 13 would address the maintenance of the existing and new bunds and the soft landscaping required for the scheme.

Turning to the issue of the historic environment, the Committee was reminded that the Grade II Listed Building of Fordham House was to the north of the site, and beyond that the Grade II Listed Building of Fordham Abbey; to the east was the Grade II Biggin Stud. With the size of the existing Turners buildings, it was considered that the addition of the proposed extension would cause, at worst, the lowest level of less than substantial harm to the setting of these listed buildings. This would be outweighed by the economic benefits of a reduction in the number of lorry movements and the provision of a further 18 jobs.

The County Council archaeology experts had sought an archaeological investigation for both elements of the scheme as it was considered that there was highly important potential archaeology on the site that could be lost or significantly damaged by the proposal. It had been made clear to the developer in 2009 that the land to the north of the built footprint and the recently purchased fields would require an archaeological investigation, due to the significant historic finds of national importance found on the northern field.

The Submitted Local Plan (published in 2017) highlighted the importance of archaeology in the area for both the extension and replacement lorry park, and archaeological potential is fundamentally backed by the NPPF.

The developer had made the Case Officer aware that while it would accept an archaeological investigation on the northern field (the location of the replacement lorry park), it would not accept an archaeological condition for the proposed site of the building extension. The Case Officer sought clarification and guidance from the County Council and it was concluded that the developer had already substantially damaged the archaeological potential under the existing lorry park by the carrying out of works. In the light of this, the recommended archaeology condition would not cover the area of the proposed extension, where the existing lorry park was in situ, it would cover the rest of the site. In order to prevent further significant harm to archaeology it was recommended that a condition removing permitted development rights related to hard landscaping be imposed.

In terms of ecology, the A142 provided a substantial barrier between the site and the Sites of Special Scientific Interest (SSSI's) located to the southeast, east and northeast of the site. Biodiversity improvements would be conditioned so that bird and bat boxes were provided on the proposed extension and substantial soft landscaping along the northern boundary.

The proposed extension would be built on an existing area of hardstanding and it was considered that it would make very little difference to surface water flow. However, the creation of the new lorry park would have a significant impact on drainage in the locality as it would be constructed on greenfield. The Case Officer had spoken to the Lead Local Flood Authority (LLFA) and it was considered that in this case a pre-commencement condition to protect controlled waters from potential contamination would overcome their concerns.

The Planning Team Leader concluded by stating that the Local Planning Authority sought to promote this area for employment. While there would be little employment growth, the proposal would future proof the business and reduce the number of lorry movements. The application was therefore recommended for approval.

At the invitation of the Chairman, Ms Roberta Bennett read from a prepared statement of objection on behalf of Newmarket Town Council and made the following points:

- Newmarket Town Council was disappointed not to have been consulted on the application, as it was so close to the District Boundary. They had only been made aware of it via the local press and social media;
- This lack of consultation was highlighted by the Town Council at the recent inspection of the East Cambs Local Plan and furthermore acknowledged by the Inspector;
- The Local Plan had highlighted the consequential impact of the proposal;
- There would be an impact on Junction 37 of the A14 and other development, including an unconnected application for 17 houses in the locality would also add to it;

- No Transport Assessment had been submitted. For such a large scale development. It was surely a mandatory requirement that such an assessment was made. The information provided to the Case Officer about transport was insufficient;
- Newmarket Town Council was maintaining its holding objection to the scheme, believing that no decision on the application should be made until a Transport Assessment had been submitted.

At the invitation of the Chairman, Mr Paul Day, applicant, addressed the Committee and made the following remarks:

- Turners had started out in Soham and then grown on the Fordham site;
- It had been awarded Chinese export status in 2018. Until now he had been unable to mention the name of the company due to commercial sensitivities, but he could now reveal that it was Cranswick. Turners transported their blast freeze products from Watton and had been asked to do the same from their Preston operation. There was also a poultry factory at Eye, and Cranswick now wanted all their products in one facility;
- More space would be needed to achieve this, but it would be high risk for Turners as it would require investment of £17.5 million on the Fordham site;
- He had worked with the consultants and Planning Officers towards a sustainable project, and he believed that the proposal complied with all the conditions. However, he could not comply with recommended conditions 12 and 17 as they would prevent the development;
- Work had to commence by March 2019 in order for Turners to meet the deadline, but if archaeological conditions were put on the car park, the project would not go ahead and they had already undertaken a large proportion of archaeological works on the site;
- The site adjoined the Fordham Bypass and there was a gas distribution and water mains running through the site. These would have damaged archaeology;
- In terms of planning gains, there would be £17.5 million investment in the area, a reduction in chilled storage and a reduction in transport movements. The project would bring more employment and enhance the sustainability of the whole site, and this should be balanced against the archaeology.

In response to a question from Councillor Hunt, Mr Day confirmed that the bunds along the A142 were on his property.

Councillor Goldsack wished to know when the gas and water mains were put in on the site and Mr Day replied that it was before Turner's time.

The Chairman asked how deep the groundworks would be for the car park. Mr Day said the concrete had been minimised, so it would be 300mm –

350mm deep. This would not be dissimilar to that of a normal planning application and the concrete would preserve whatever was beneath it.

Councillor Smith, having noted that Newmarket Town Council had not been consulted, asked whether this Council was consulted when circumstances arose. The Planning Manager said this Authority would be consulted if it was impacted by an application. Both Cambridgeshire and Suffolk County Councils were consulted on this application and the Case Officer had worked with them.

Councillor Hunt asked the Planning Manager whether the Combined Authority had been consulted regarding highways; she stated that it had not, but would be added to the list for the future.

Councillor Beckett enquired about the provision of bus stops and the Planning Team Leader said it would be up to the County Council to decide the location. The Chairman interjected to say that they would more likely be dictated by the operator. He also asked Members to be clear that if the application was to be approved with the conditions relating to archaeology and hardstanding, it would not go ahead. He felt there were three options: to approve, to refuse, or to approve but with the removal of conditions.

Councillor Hunt thought the site to be well placed and said employment should be welcomed. He duly proposed that the application be approved, but with the removal of conditions 12 and 17. The Chairman asked his reasons for wanting the conditions removed and Councillor Hunt replied that he believed the benefits of a speedy decision would outweigh any archaeological considerations.

In seconding the motion for approval, Councillor Beckett said that this local company wanting to expand should be encouraged. He could see no problem regarding archaeology because whatever was on the site would not be disturbed. The A14/A142 junction was an existing problem and this proposal would not add any additional transport movements to this junction, so would benefit Newmarket.

Councillor Goldsack concurred, saying that it was a case for the expansion of a very successful company. There had been no request for an archaeological investigation under the existing car parks and any deposits had already been disturbed when the gas and water mains were put in. He believed that the archaeology would be protected by the hardstanding. He was therefore minded to support approval, with the removal of conditions 12 and 17.

Councillor Cox expressed his support for the comments already put forward.

The Chairman said he had spoken to the Planning Manager regarding any future applications on the site, and had been advised that archaeology could be conditioned. The Planning Manager cautioned Members that conditions 12 and 17 had been recommended by County Archaeology, and if they were minded to remove the conditions, this could leave the decision open to Judicial Review.

When put to the vote,

It was resolved unanimously:

That planning application reference 18/00579/ESF be APPROVED subject to the signing of the S106 Agreement, the removal of Conditions 12 and 17 from the draft conditions as set out in the Officer's report, and with authority delegated to the Planning Manager and the Legal Services Manager to complete the S106 and to issue the planning permission.

110. 18/00853/OUT – LAND EAST OF 1 SCHOOL LANE, ALDRETH

Catherine Looper, Planning Officer, presented a report (reference T169, previously circulated) which sought outline consent for one dwelling with all matters reserved except for scale.

The site was located to the west of Aldreth and comprised an open field with an access to the side of the plot. There were agricultural buildings to the rear of the site, and other dwellings in the vicinity, which were screened within the landscape by tall boundary hedges and trees.

It was noted that the application had been called in to Planning Committee by Councillor Cheetham following discussions with the Parish Council and residents.

A number of illustrations were displayed at the meeting. They included a map of the location site, an aerial image, and a slide showing the scale of the proposal.

The main considerations in the determination of the application were:

- Principle of Development;
- Residential Amenity;
- Visual Amenity;
- Highway Safety; and
- Other Matters.

Members were reminded that the Council could not currently demonstrate a 5 year supply of land for housing, and therefore all planning applications for housing were to be considered on the basis of a presumption in favour of sustainable development unless there were any adverse impacts in doing so.

The site was adjacent to the defined settlement boundary and in close proximity to the services and facilities on offer in Aldreth. It was not considered to be isolated or unsustainable and the principle of development was considered acceptable, subject to compliance with other planning considerations.

With regard to residential amenity, it was noted that the location and scale of the proposed dwelling did not create significantly detrimental impacts on the amenity of neighbouring occupiers. There was significant

boundary vegetation which would provide screening and the full impact on residential amenity would be assessed at a reserved matters stage. Concerns had been raised regarding noise from the fixed plant machinery linked to the cooling of potatoes at the site. However, the agent had confirmed that there were other sites where the potatoes could be stored and the use of the cooling and ventilation plant could be ceased and secured by way of a legal agreement.

The full details of the visual appearance had not been included within the application form and would need to be assessed at the reserved matters stage. The dwelling was on a plot which had significant boundary vegetation, and it was considered that it could be adequately screened to reduce the level of visibility of the proposal. There was another residential dwelling adjacent to the site and therefore the introduction of one dwelling would not be significantly harmful to the rural character and appearance of the area. It was considered that the scale of the proposal would be suitable for the rural location and modest dwellings in the vicinity of the site.

With regard to highways, the layout showed that there was sufficient room on site for the manoeuvring and parking of two vehicles, and this was considered to comply with policy. An existing vehicular access was being used which also served as a secondary access to the agricultural site to the rear, however the agent had confirmed that the agricultural use of this access would cease and could be secured by condition. Given the details provided, there was no reason to believe that a suitable access could not be achieved at the reserved matters stage.

Members noted that other matters such as foul and surface water drainage, contamination investigation and biodiversity enhancements could be secured by condition.

The Planning Officer concluded by stating that the application was recommended for approval.

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

- He was a director of Cheffins. Pretoria Lee offered her apologies for being unable to attend, and he was here in her place;
- The report was a fair assessment and this outline application sought only to establish the principle;
- The site was outside the development boundary, but the Council was unable to demonstrate a 5 year supply of land for housing;
- It was his view that this was an infill site in a modest gap and an appropriate site for a small scale development;
- The ventilation equipment had been in situ for 25 years and only now were issues with noise being raised. The noise issue had been investigated and the use of the cooling and ventilation plant would cease prior to first occupation;

- The site was a small satellite farm and would have no impact on the business.

At the invitation of the Chairman, Councillor Steve Cheetham, a Ward Member for Haddenham, addressed the Committee and made the following points:

- He had serious concerns, as did the Parish Council and residents and he believed there were material reasons to refuse the application;
- Aldreth was noted in the Local Plan 2015 as being unsustainable and with no development allocation, infill only;
- The two other properties on School Lane were replacement dwellings for homes that existed there for over 100 years;
- The site was not a natural extension to the built form of the village and it was outside the settlement boundary;
- Views into and out of settlements should be protected and any development should be a positive contribution to the existing settlement;
- It was contrary to Policies ENV1 and ENV2 of the Local Plan 2015, and Policy LP37 of the emerging Local Plan;
- School Lane is not a dead end, but it is a public footpath;
- There had been an increase in noise from the cooling and ventilation plant, with no mitigation and he was concerned that this had not been mentioned in the application. New machinery had been installed in the past few months which is what had prompted complaints
- The proposal was in an unsustainable location. It did not promote sustainable travel because the occupants would have to rely on a motor vehicle as there was only 1 bus per week and no path or cycle ways to Haddenham;
- It did not meet specific circumstances in the National planning Policy Framework (NPPF);
- The harm caused by the proposal would outweigh any benefits.

At the invitation of the Chairman, Councillor Mark Hugo, a Ward Member for Haddenham, addressed the Committee and made the following remarks:

- He was also speaking as a Haddenham Parish Councillor, and he agreed with everything his colleague had said;
- This was not infill, it was building in the countryside;

- If permission was granted, there should be an extra condition prohibiting the use of School Lane by construction vehicles, because it was in daily use by school children;
- Some years ago, School Lane was improved by a village work party, helped by the farmers who had submitted this application. If there was any damage done during construction, it had to be restored to the current good state by the developer because this was essentially the village green for Aldreth;
- If permitted, there should be a condition requiring access to be over the mainfarm route during construction;
- In the emerging Local Plan it was stated that Community Infrastructure Levy (CIL) for all new builds in Aldreth should go towards upkeep of the Aldreth Village Centre and he wished to see these funds ringfenced if the application was permitted;
- The people of Aldreth wanted to protect what they loved.

Councillor Beckett asked Councillor Hugo to explain his comment regarding CIL and was told that Haddenham Parish Council covered both villages. CIL went 100% to the Parish Council and that was why he was asking for it to be ringfenced to Aldreth.

The Chairman reminded Members that in the event of the proposal being self-build, there would be no CIL. He then asked Councillor Hugo if the access would still be used by farm vehicles if the application was refused and Councillor Hugo replied that there had been a huge voluntary reduction in the number of tractors; he would have no concerns if that continued.

Councillor Goldsack said that what he had seen on the site visit was a grass track with a couple of furrows and he wondered if Councillor Hugo's request was enforceable. The Planning Manager advised that as School Lane was not within the applicant's ownership, it would be difficult to enforce a condition in terms of construction vehicles using the access as there may be construction vehicles/vans accessing other dwellings along School Lane. In response to a question from Councillor Beckett, she confirmed that a condition could be imposed requiring construction vehicles to park on site.

Councillor Smith asked whether or not the site was infill and was advised that it was a type of infill, but it was not being assessed on that basis; it was being assessed on the presumption in favour of sustainable development.

Councillor Ambrose-Smith considered the site to be 'perfectly nice', but said she had taken on board the comments made about School Lane. Construction would be for a finite period and the construction vehicles should be encouraged to use the other access.

Councillor Hunt thought this to be a case where Members could support the Officer's recommendation. He did not see why there needed to be a routing agreement when the applicant could simply put up a sign, but he believed the allocation of CIL to Aldreth to be reasonable. He suggested the

Committee should support approval and go along with the local Member's caveats, and the legal agreement as detailed in paragraph 1.2 of the Officer's report.

The Planning Manager informed Members that such a condition could be difficult to enforce, but informatives could be applied for vehicle access. CIL was not within the Committee's remit, being dealt with under separate legislation.

Councillor Beckett proposed that the Officer's recommendation for approval be supported, but with a strong message about the construction traffic not parking in School Lane. He also wished there to be an informative restricting HGV movements to a minimum, and the Lane to be restored after construction.

Councillor Goldsack commented that reading the report and then visiting the site had given him so much more of a perspective and he commended the Case Officer for doing a 'good job'.

Councillor Hunt seconded the motion for approval and when put to the vote, it was declared carried with there being 8 votes for and 1 abstention. Whereupon,

It was resolved:

That planning application reference 18/00853/OUT be APPROVED subject to the signing of the legal agreement and the draft conditions as set out in the Officer's report, with the addition of the following:

- No parking of construction vehicles in School Lane;
- An informative for construction vehicle movements to use the existing main farm access; and
- Any damage to School Lane to be restored after construction.

Authority to be delegated to the Planning Manager and the Legal Services Manager to complete the legal agreement and to issue the planning permission.

111. 18/01204/OUT – CHURCH FARM, THE HAMLET, CHETTISHAM, CB6 1SB

The Chairman asked Members to note that the application was for up to three dwellings, and not four, as stated on the agenda front sheet.

Toni Hylton, Planning Officer presented a report (reference T170, previously circulated) which sought outline consent for the erection of up to three dwellings, with all matters reserved apart from access.

Members noted that the application had been amended since the original submission which stated up to four dwellings, with the removal of Plot 1, nearest to St Michael's Church

The site was a field at the end of The Hamlet. To the front was some planting, some of which was within the ownership of the Highways Authority. The land slipped away to the rear and afforded views across the open countryside. To the south of the site was the Grade II listed St Michael's Church, which was located on the edge of the settlement and was surrounded by a masonry wall.

The Hamlet of Chettisham had an established pattern of development whereby the dwellings sat close to the road; many were of a cottage style with outbuildings. Development was predominantly on the northern side of The Hamlet, with open fields on the southern side.

The application had been brought to Planning Committee at the request of Councillor Rouse on the basis that a previous application on the same site also came before the Committee.

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

The main considerations in the determination of the application were:

- Principle of development;
- Visual Amenity;
- Historic Environment;
- Highways;
- Ecology; and
- Flood Risk.

On a point of housekeeping, Members were asked to note the following:

- The Senior Trees Officer's objection had not been removed but it was recognised that good design and mitigation might overcome it;
- A meeting had been held with the Conservation Officer to discuss the removal of Plot 1, which then overcame the concerns raised in relation to setting;
- A petition had been submitted in opposition to the application; and
- A number of emails relating to the application had been received and forwarded on to the Committee Members.

Members were reminded that the Council did not currently have a 5 year supply of land for housing, and therefore all planning applications for housing were to be considered on the basis of a presumption in favour of sustainable development unless there were any adverse impacts in doing so.

The site was approximately 50 metres from the development envelope for Chettisham and 55 metres from the nearest dwelling. It was considered that the distances between the dwellings would not give rise to the amenities of either being adversely affected

In terms of visual amenity, the removal of Plot 1 enabled views from the lane that ran along the Church through to the A10 and up towards the Lynn Road up to Littleport. While the proposal could be seen from some viewpoints, it was considered that it would not be detrimental to the character of the area and it continued the linear development of The Hamlet.

Although the application site was in close proximity to the Grade II listed St Michael's Church, with the removal of Plot 1 it was considered that the proposal would cause less than substantial harm to the setting of the Listed Building and was outweighed by the public benefit of the provision of three additional dwellings.

It was noted that Highways did not object to the application and the applicant's agent had confirmed that the footpath to be provided was within the Highway ownership. There would be adequate parking and turning areas within the site to ensure that highway safety was not compromised.

A Phase 1 Habitat Survey was submitted with the application, along with a Bat, Owl and Breeding Bird Survey. It concluded that no significant impacts were anticipated on nearby protected sites due to the lack of connectivity and the distances. The report also concluded that the habitats had a relatively low nature conservation value with a negligible ecological consequence. It was considered that the report addressed all the issues relating to protected species and any proposed development could be built with mitigation measures.

The site was within Flood Zone 1 and any planning permission could have a condition attached requiring drainage details.

The Planning Officer concluded by saying that the proposal was considered to be acceptable and meet the requirements of the Local Plan, subject to conditions and was therefore recommended for approval.

At the invitation of the Chairman, Ms Joanne Cabbage and Ms Heather Dawson addressed the Committee and made the following comments:

Ms Cabbage:

- A petition, signed by 29 people from 19 houses, represented the views of a large group of the residents who strongly objected to the application;
- There was only one letter of support on the website;
- She had been happy to accept the applicant's invitation to go and view the proposal;
- The site was outside the development boundary and approval would set a dangerous precedent for inappropriate development;
- The proposal was not sustainable and result in an increase of traffic movements;

- Chettisham valued its rural nature and did not want to become a City suburb;
- They were not opposed to development where it met conditions but this site was not a continuation of development and it did not comply with infill policy;
- There was very little to demonstrate that it was sustainable and there would be a reliance on motor vehicles. She felt that sustainability had not been fully considered;
- Vehicles already parked outside the Church and this narrowed the road;
- An application for a smaller development had been refused permission in December 2017;
- 28 residents and 18 households wished this application to be refused and Members were urged to protect the rural identity of Chettisham.

Ms Dawson:

- The barn should be developed, as this was covered by legislation for redundant buildings

In response to a query from Councillor Goldsack about the population of Chettisham, Ms Cabbage said The Hamlet comprised 26 houses (including the farm) and 29 people. This was on the road, as opposed to the whole village.

Ms Cabbage said that Chettisham was not represented, but Councillor Ambrose Smith reminded her that the City of Ely Council represented the whole village. Ms Cabbage responded by saying that she had spoken to Councillor Rouse, but he abstained from comment. Councillor Hunt added that he was aware Ms Cabbage had been in contact with City Councillors and Councillor Whelan.

At the invitation of the Chairman, Mr Michael Hendry, agent, addressed the Committee and made the following points:

- He thanked the Planning Officer, her help was appreciated;
- The residents' petition was not shown as presented and some signatories had contacted Members to advise their views did not represent all of those who signed the petition;
- He had met with the Conservation Officer and following the removal of the plot closest to the Church, the objection had been removed;
- There would be only a very modest increase in traffic, and Highways had raised no objections;
- The scheme would provide a new footpath;
- This was only an outline application and the proposed dwellings would complement the existing;

- With regard to precedent, the application represented a unique development which would maintain the view of the Church;
- The development was sustainable and would provide a footpath which would connect to the existing footpath to Ely and there was a bus stop 550 metres from the site;
- The proposal complied with policy and would provide much needed housing and there would be no encroachment towards Ely.

Councillor Beckett noted that the Ash trees on the right hand side of the road had die back and he asked whether there were plans to replant. Mr Hendry replied that all the Ashes had the disease; a landscaping condition would be imposed as part of the reserved matters application. Councillor Beckett also wanted clarification regarding the position of the access for the dwellings and if this would be beyond the existing farm gate. Mr Hendry confirmed that it would be.

Councillor Hunt proposed that the Officer's recommendation for approval be supported. He believed the proposal had the potential to be an excellent development and that trust in the Case Officer had been well placed. This was a special area and a good design, requiring careful control, would be critical.

In seconding the motion for approval, Councillor Beckett said it was pleasing that the applicant had taken notice of Members' comments following refusal of the last application.

When put to the vote the motion was declared carried, there being 8 votes for and 1 abstention.

It was resolved:

That planning application reference 18/01204/OUT be APPROVED, subject to the recommended conditions as set out in the Officer's report.

112. 18/01464/OUT – 3 MAIN STREET, WENTWORTH, CB6 3QG

Toni Hylton, Planning Officer, presented a report (reference T171, previously circulated) which sought outline consent with all matters reserved apart from access. The proposal was for up to 3 dwellings with access from Main Street along the boundary with No.3 Main Street.

The application stated that the proposal would be for self-build plots as opposed to a developer or market housing.

The site was to the rear of two pairs of semi-detached two storey dwellings on Main Street in Wentworth. It was currently being used as a horse paddock and was immediately to the rear of No.3. It sat slightly higher than the road and was open on the remaining sides to the rural area, with no built form. Adjacent was an open field which had a Tree Preservation Order (TPO) on it.

It was noted that the application site was not within the development envelope or a Conservation Area.

The Committee noted that the application had been called in to Planning Committee by Councillor Steve Cheetham. He had been approached by Wentworth Parish Council who had had a number of residents raise issues with the application and the applicant was the Chairman of the Parish Council.

A number of illustrations were displayed at the meeting, including a location plan, an aerial image and a block plan of the proposal.

The main considerations in the determination of the application were:

- Principle of development;
- Residential amenity;
- Visual amenity;
- Highways;
- Ecology; and
- Flood Risk.

The Planning Officer reminded Members of the Council's current inability to demonstrate an adequate 5 year supply of land for housing. The presumption should therefore be in favour of sustainable development unless any adverse impacts of the scheme significantly and demonstrably outweighed the benefits.

Although outside the established development framework of Wentworth, the site sat adjacent to the settlement boundary and was considered to be well connected, alongside a number of residential dwellings and within close proximity to the facilities and services on offer in the village.

With regard to residential amenity, it was considered that the dwellings and landscaping could be designed to ensure that the amenity of neighbouring occupiers could be maintained.

Members noted that the site was to the rear of semi-detached dwellings and visually it would have a limited impact from the view from the front of the existing dwellings. However, when viewed from Main Street and the playground, it would be prominent where there was a gap in the residential development.

The street was characterised by linear development and it was considered that the provision of 3 dwellings in this location would protrude into the open countryside and create substantial detrimental harm to the visual character and amenity of the area.

The site was in close proximity to an area of archaeology. While the County Archaeologist had raised no objection to the proposal, a Written Scheme of Investigation would be required.

It was noted that Highways had not raised any objections, subject to conditions. The proposal would see an increase in traffic, but this was not considered to be to the detriment of highway safety.

In connection with ecology, it was noted that the site was unlikely to be of a sensitive nature for protected species. It was not overgrown and was being used as grazing for a horse. Ponds within the area were over 100 metres away and did not link to the site. As such, the proposal was unlikely to cause harm to protected species. Any planning approval would require a condition for biodiversity measures in the final build of the proposal.

The site was located within Flood Zone 1 and a scheme for foul and surface water drainage could be secured by condition.

In terms of the planning balance, it was considered that the impact on the open character of the area and the form of backland development would cause demonstrable harm and the application was therefore recommended for refusal.

At the invitation of the Chairman, Mr Adam Tuck, agent, addressed the Committee and made the following points:

- He wished to contest some parts of the Officer's report. The planning history was not relevant and the physical and policy context had changed;
- The site was partially in and partially out of the development envelope, but it was not in open countryside;
- This was a low density proposal and planting could address any visual impact. The dwellings could be conditioned to be single storey;
- Backland development was not inherently harmful. Existing accesses could be used and he would argue that there was not linear development in the village;
- The Council did not have a 5 year supply of land for housing at present and some villages were taking development;
- With reference to paragraph 78 of the NPPF and Policy LP6 of the emerging Local Plan, this small low density site was the sort needed to be developed to support the Government's plans;
- The 3 dwellings would appeal to a wide audience;
- There had to be a balance between the harm caused by the scheme against the benefits it would bring. He believed the benefits would outweigh any harm.

Councillor Beckett asked the Planning Manager if a condition could be imposed for the dwellings to be single storey and he was advised that scale was to be determined at reserved matters stage and had not been applied for at the outline stage.

Councillor Smith was concerned that the proposal was backland development. Wentworth was a very small village and the single track road

would not be suitable for an increase in the number of properties. He also believed that if the scheme was approved, more applications would come forward in the future.

Councillor Ambrose Smith was of the opinion that the 3 self-build plots would be very attractive, and if single storey, they could be advantageous for those with disabilities.

Councillor Hunt said he was minded to agree with the Parish Council, the Trees Officer and the comments made by Councillor Smith; he would support the recommendation for refusal.

The Chairman said he considered this to be rural and open countryside and felt that the proposal would have a detrimental impact.

Councillor Beckett disagreed, saying that he struggled with it being in 'open countryside' when he could see traffic travelling along the A142. The Council did not currently have a 5 year supply, and while big sites were being sought, this small one presented an opportunity for self-builds, possibly for young people. Houses were going up to the east and they were not single storey. Here was an opportunity for the Council to improve its 5 year supply and as such, he would go against the Officer's recommendation.

Councillor Cox said that having pondered on where cars were to be parked and also waste collection, he would go with the recommendation for refusal.

Councillor Smith reminded Members that on their site visit, the bus had had to wait for oncoming vehicles to pass due to the width of the road. He believed that Wentworth had taken its fair share of development and he proposed that the Officer's recommendation for refusal be supported. He reminded Members that 6 self-build plots at College Farm had recently been approved by this Committee

The motion was seconded by Councillor Hunt, and when put to the vote, was declared carried with 7 votes for and 2 votes against. Whereupon,

It was resolved:

That planning application reference 18/01464/OUT be REFUSED for the reasons given in the Officer's report.

113. 18/01489/OUT – SITE NORTH OF THE OLD STATION, STATION ROAD, WILBURTON

Catherine Looper, Planning Officer, presented a report (reference T125, previously circulated) which sought outline consent for a single dwelling. All matters were reserved and would be dealt with as part of a reserved matters application.

On a point of housekeeping regarding the planning history, Members were asked to note that a previous application in 2017 was refused under delegated powers.

The application site was located approximately a mile outside the defined settlement boundary and comprised garden land of The Old Station.

There were some cottages to the north of the site and a site adjacent with approval from 2016 for two dwellings.

It was noted that the application had been called in to Planning Committee by Councillor Bill Hunt.

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

The main considerations in the determination of the application were:

- Principle of Development;
- Visual Amenity;
- Residential Amenity;
- Highway Safety; and
- Other Matters.

Speaking of the principle of development, the Planning Officer reminded Members that the Council was currently unable to demonstrate an adequate 5 year supply of land for housing and applications should therefore be assessed in terms of the presumption in favour of sustainable development.

The application site was located approximately 1 mile from Wilburton, and was outside of the defined development boundary in a location which was considered to be unsustainable. There were a number of sites locally within Wilburton as well as other nearby settlements within the District that were considered to be more sustainable in terms of their suitability for residential development.

Members were reminded that there was outline permission for two dwellings to the north of the site, which was approved by Planning Committee in April 2017. Only access had been agreed under this consent and the reserved matters for the site had not been agreed to date.

Due to the location of the proposal it was not considered to create significantly detrimental impacts on neighbouring occupiers. The full impact on residential amenity would be assessed at a reserved matters stage.

The full details of the visual appearance and landscaping were not included in the application and would have to be assessed at the reserved matters stage. However, it was considered that an acceptable design could be achieved.

The Highways Authority had been consulted but did not offer any comments, as the access was not included as a matter to be assessed. Full details of the access arrangement would be dealt with at the reserved matters stage.

With regard to other matters, it was noted that biodiversity enhancements and a scheme for foul and surface water drainage could be secured by condition.

The Planning Officer concluded by saying that on balance, the proposal was not considered to impact on the residential amenity of nearby occupiers. However the site was in an unsustainable location and there would be an increasing reliance on the car to gain access to services and facilities. The application was therefore recommended for refusal.

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

- The proposal was to subdivide the existing garden;
- While the site was outside the settlement boundary, the Council did not have a 5 year supply of land for housing and therefore the presumption should be in favour of sustainable development;
- Officers said the proposal was unsustainable and made reference to the NPPF on isolated homes. However, the High Court made a judgement in 2018 regarding new isolated homes in the countryside, saying that isolation should be dwellings which were far away from the other or remote, which this was not and the judgement would be for the decision maker;
- The application site was within a mile of Wilburton and within a rural community;
- Public transport was limited, but with regard to balance, there was a difference between travelling in a rural area and an urban setting and the NPPF states it will vary and people can use the services of other settlements;
- The dwelling would make a modest contribution to the District's housing stock, there had been no objections from consultees, and it would cause no material harm;
- The outline application of April 2017 was a material consideration, but it did not outweigh the benefits of the proposal;
- The Committee should have regard to the fact that an application of a similar size was recently approved, contrary to the Officer's recommendation;
- The planning balance had been triggered because of the lack of a 5 year supply;
- The proposal would cause no adverse impacts.

In response to questions from Councillor Hunt, the Planning Officer stated that the scheme would occupy 700 square metres, and the Planning Officer confirmed that the sole reason for recommending refusal was because it was considered to be an unsustainable location.

Councillor Goldsack commended the Planning Officer on her report but proposed that the recommendation for refusal be rejected and the application be granted planning permission. Grunty Fen had a community and if people wished to live there, they should be able to do so.

Councillor Hunt said the area was known locally as the 'Wilburton Station Community'. Members had a duty to be consistent and permission had already been granted for two houses, one of them being quite substantial. There were 8 dwellings in the complex and Grunty Fen was full of housing. There had been no problems raised by the neighbours or the Parish Council and he therefore seconded Councillor Goldsack's motion for approval.

The Chairman thanked Councillor Goldsack for his comment about the Officer's comprehensive report, and assured the Planning Officer that there was no reflection on her if Members granted approval.

The Committee then returned to the motion for approval and when put to the vote,

It was resolved unanimously:

That planning application reference 18/01489/OUT be APPROVED for the following reasons:

- Members believe the application site to be in a sustainable area because of its proximity to neighbouring properties;
- It is a brownfield site;
- The location is a longstanding area of occupation and employment.

It was further resolved:

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

89. PLANNING PERFORMANCE REPORT – NOVEMBER 2018

The Planning Manager presented a report (T175, previously circulated) which summarised the planning performance figures for November 2018.

The Department had received a total of 194 applications during November which was a 2% decrease on November 2017 (197) and a 17% decrease from October 2018 (233).

Although the number of applications had decreased, Officers were still very busy. Drawing attention to the figures for DIS/NMA, the Planning Manager said that they were low because Officers had been focussing on applications and getting decisions issued.

Zoe Boyce-Upcraft, Planning Assistant, was leaving the Authority on 11th January. Her post, and that for a Senior Planning Officer would shortly be going out to advertisement. Of the four agency workers, the Trees Officer and Conservation Officer would be leaving the Council on 18th January.

Three valid appeals had been received, but Members might not yet be aware of them. Letters would be sent out when the Inspectors had been allocated and a start letter received.

A Joint Inquiry for 17/01371/OUM and 17/01732/OUM was to be held on 29th January 2019 in Burwell and it would run for 4 days.

Councillor Hunt informed the Planning Manager that he had received a letter regarding 30 Cambridge Road, but it was in Stretham rather than Ely; he asked to be kept fully updated and was told that the Officer had been made fully aware.

Councillor Hunt next raised an enforcement issue and asked about the replacement of 120 trees. The Planning Manager assured him that she would keep him up to date but at present they had to wait and see if replanting was carried out in accordance with the date on the Notice.

Returning to the issue of staffing, Councillor Goldsack asked about the shortfall in support staff and wondered why they were leaving. He said he had raised the matter because the Council was in a very competitive market and maybe needed to think again about recruitment. The Planning Manager replied that there were a number of reasons for people leaving, but no common thread. It was not just local government because agents were struggling too. Some of it could be put down to a skills gap, but it was nationwide.

Referring to the Senior Archaeologist, Cambridgeshire County Council, being present at today's meeting, Councillor Beckett asked if there was a point at which the Planning Committee could point out to Archaeology that they were causing problems and slowing up development. The Planning Manager said that a letter could be drafted and the Chairman requested that it be sent in his name. Councillor Hunt expressed his support for the proposal and said that he would also like to see it because local charities were being hurt by the delays. The Chairman agreed that the letter would be circulated to all Committee Members.

Councillor Smith enquired about the builder's yard at The Rampart. The Planning Manager stated that the applicant was trying to work with the Council and the situation was being monitored. An application to relocate the site had been submitted and this was why there had not been a jump straight to prosecution.

It was resolved:

That the Planning Performance Report for November 2018 be noted.

The meeting closed at 4.20pm.