



East Cambridgeshire District Council

Minutes of a Meeting of the Planning Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 2:00pm on
Wednesday 5 March 2025

Present:

Cllr Christine Ambrose Smith
Cllr David Brown (Vice Chair)
Cllr Martin Goodearl
Cllr Keith Horgan
Cllr Bill Hunt (Chair)
Cllr James Lay
Cllr John Trapp
Cllr Ross Trent
Cllr Gareth Wilson

Officers:

Patrick Adams – Senior Democratic Services Officer
Maggie Camp – Director Legal
Rachael Forbes – Planning Officer
Rachel Gordon – Planning Team Leader
David Morren – Strategic Planning and Development Management Manager
Charlotte Sage – Planning Officer

In attendance:

Phillip Kratz - Agent

One other member of the public

ECDC Comms

68. Apologies and substitutions

Apologies for absence were received from Cllr Chika Akinwale, Cllr Lavinia Edwards and Cllr Christine Whelan.

Cllr Keith Horgan was attending as a substitute for Cllr Edwards.

69. Declarations of interest

None

70. Minutes

The Minutes of the meetings held on 15th January 2025 and 5th February 2025 were both agreed as a correct record.

71. Chair's announcements

There were no Chair's announcements.

72. 24/01242/FUL – 12 Swaffham Road, Burwell, Cambridgeshire

Rachel Forbes, Planning Officer, presented a report (Z140, previously circulated) recommending refusal for the erection of a three bedroom detached bungalow and associated works at 12 Swaffham Road, Burwell.

David Morren, Strategic Planning and Development Management Manager, reported that plans had been submitted to him from the applicant during the morning's site visit. These plans had been received on the day of the meeting, they had not been seen by any of the consultees, nor any of the planning officers. Following consulting with the Director Legal the decision had been taken not to share these plans with the Committee. In the opinion of the Strategic Planning and Development Management Manager, these plans added little to the debate in any case.

The Planning Officer provided an overview of the proposal and showed associated photographs and site plans. She explained that whilst the application was within the development envelope, officers considered the application to be harmful to the character and appearance of the area, which was contrary to Policy Growth 2. The proposed development was also contrary to the linear characteristic of buildings on Swaffham Road and would result in overdevelopment, contrary to policies ENV1, ENV2 and HOU2 of the East Cambridgeshire Local Plan. The area had detached homes with large gardens with no backland development.

The Planning Officer explained that planning law considered that there should be consistency and have good reason when deciding to depart from previous decisions. An application for two dwellings had been refused at this site for the above reasons by the Committee in November 2024. Similar applications had also been refused in 2019 and 2023 for 58 Swaffham Road.

The Planning Officer concluded that by reducing the number of dwellings from two to one, the application did not overcome the previous reasons given for refusal.

The Chair invited Mr Phillip Kratz, agent for the applicant, to address the Committee.

"Most members of the Committee were here in November when this proposal site was up before last time and I'm going to start with the last point raised by your officer which was that all of the other material consideration, highway

safety, residential amenities, ecology, drainage and everything else are all acceptable and so it is not the details it is the principle that we are talking about. Last time I was here I started off with a history lesson on how, from 1980 onwards, the presumptions against backland development, really tandem development, were taken into account as policies evolved and if you do a word search on your current Local Plan you will not find the word backland it. I know because I did this 22 minutes ago. Likewise in your design guide, we got onto that at the last committee meeting and your officer read from page 28 of the design guide and it does have a paragraph on backland development, over the page on page 29 it gave the following rationale: 'there can be no presumption that large executive houses in extensive curtilage should be able to sub divide the garden into smaller plots. It is important to retain a stock of housing that can accommodate the growth aspirations of Ely and the larger settlements in East Cambridgeshire, where there will be a continued demand for 'executive' style dwellings.' For those of you who saw the site, I do not think that you need to worry unnecessarily that the character of the host dwelling at number 12 Swaffham Road will be adversely affected by the proposed development that an executive would be put off from buying it. What this is, is a single, modest dwelling

would not be adversely affected by the proposed development, which was a single modest home that would have little effect on the surrounding area. Most of Swaffham Road had ribbon development and a few doors down from number 12, there was some backland development. The plans showed that some bungalows already existed that would be in line with the proposed dwelling, in fact on the lefthand side the buildings came further forward. What was proposed was another modest, affordable dwelling into the housing stock of the district. It causes no overlooking, whilst access and parking was satisfactory. The Council's policies stated that significant adverse impact was required for an application to be refused and that was not the case. The application had been unanimously supported by Burwell Parish Council.

The Chair invited Members to ask questions to the agent Phillip Kratz.

Cllr Keith Horgan asked what pre-planning advice had been sought from the Council. Mr Kratz replied that no advice had been requested, as the application had been refused in November for the reason of over development and the applicant felt that this concern had been met by reducing the number of dwellings from two to one.

Cllr John Trapp suggested that the new application did not address the reasons for refusal given at November's Committee meeting. Mr Kratz explained that there was nothing the applicant could do to address the issue of backland development except reduce the number of dwellings.

Cllr Keith Horgan stated that the reasons for refusing the previous application in November included being contrary to the prevailing linear character of the current residential development. He asked whether the current application had addressed this or if that was impossible to achieve. Mr Kratz explained that the previous application was for a pair of semi-detached dwellings in line

with current properties. The current application was for a single detached dwelling in line with current properties.

The Chair invited questions for the officers. In response to Cllr James Lay, officers confirmed that the buildings in the garden of property number 16 were not part of the original design. Cllr Keith Horgan stated that number 12 was the break point of the line of houses, with subsequent properties in a different line. He asked if officers were aware of a similar situation arising in previous applications. The Strategic Planning and Development Management Manager reported that he was not aware this.

The Chair invited debate.

Cllr Christine Ambrose Smith stated that she had visited Burwell the previous afternoon and she considered that a bungalow to the rear of the existing property would barely be seen from the street. She did not consider the harm to the character and appearance of the area to be sufficient to refuse the application. Councillor James Lay agreed with Cllr Ambrose Smith.

Cllr John Trapp proposed and Cllr Keith Horgan seconded the recommendation in the report. A vote was taken and

It was resolved with 7 votes in favour, 2 votes against and 0 abstentions:

That planning application ref 24/01242/FUL be **Refused**, for the reasons stated in the report.

73. Planning performance reports – January 2025

David Morren, Strategic Planning and Development Management Manager, presented a report (Z141, previously circulated) summarising the performance of the Planning Department in January 2025. He stated that officers were working on the suggestion made by Cllr Keith Horgan at February's Committee meeting to include the number of applications that remained undetermined after six months and after a year in the report.

The Strategic Planning and Development Management Manager explained that from May, the Committee would be receiving quarterly updates on enforcement action. These may have to be considered in private session.

It was resolved unanimously:

That the Planning Performance Report for January 2025 be noted.

The meeting concluded at 4:40 pm.

Chair.....

Date.....

DRAFT