



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO 3

Minutes of a meeting of the Planning Committee held at 1:00pm on Wednesday 1st December 2021 in the Council Chamber at The Grange, Nutholt Lane, Ely, CB7 4EE.

PRESENT

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

OFFICERS

Rebecca Saunt – Planning Manager
Maggie Camp – Legal Services Manager
Angela Briggs – Planning Team Leader
Holly Chapman – Planning Officer
Tracy Couper – Democratic Services Manager
Caroline Evans – Democratic Services Officer
Rachael Forbes – Planning Officer
Barbara Greengrass – Planning Team Leader
Molly Hood – Planning Officer
Toni Hylton – Senior Planning Officer
Jade Ling – Communications Officer
Annalise Lister – Communications Manager
Sarah Parisi – Senior Support Officer
Christopher Partrick – Conservation Officer
Andrew Phillips – Planning Team Leader
Juleen Roman – Planning Enforcement Team Leader
Angela Tyrrell – Senior Legal Assistant
Russell Wignall – Legal Assistant

IN ATTENDANCE

Astra Carter-Marsh (Objector, Agenda Item 5 / Minute 55)
Neil Cutforth (Agent, Agenda Item 6 / Minute 56)
Amy Ellis (Applicant, Agenda Item 11 / Minute 60)
Helen Marriott (Objector, Agenda Item 5 / Minute 55)
Kier Petherick (Applicant, Agenda Item 7 / Minute 57)
Parish Cllr Chris Ray (Applicant, Agenda Item 5 / Minute 55)
Phil Roden (Agent, Agenda Item 7 / Minute 57)
Jeremy Vincent (Objector, Agenda Item 8 / Minute 58)
Kevin Watts (Agent, Agenda Item 9 / Minute 59)

6 Members of the public.

51. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllrs Edwards and Every.

Cllrs D Ambrose Smith and Huffer were attending as substitutes.

52. DECLARATIONS OF INTEREST

Cllr Brown declared that he had called-in Agenda Item 9 (21/01146/FUL, 29 Isaacson Road, Burwell, CB25 0AF), however, he had an open mind and would therefore participate in the debate and vote on the item.

Cllr Huffer declared herself to be predetermined on Agenda Item 8 (21/01142/FUL, 55 Carter Street, Fordham, CB7 5NG), she would therefore speak and then leave the meeting before the debate and vote on the item.

Cllr Wilson declared a prejudicial interest in Agenda Item 5 (20/00880/OUM, OS Land Parcel 7216, Bury Lane, Haddenham) as a member of the Parish Council, which was the applicant, he would therefore speak and then leave the meeting before the debate and vote on the item.

Cllr Ambrose Smith declared that she had called-in Agenda Item 6 (21/00410/FUL, 2 Hale Fen, Littleport) and would speak on the item before leaving the meeting for the debate and vote.

53. MINUTES

The Committee received the Minutes of the meeting held on 3rd November 2021.

Cllr Downey read aloud an objector's comment from the meeting, questioning why it would not be appropriate to protect residential amenity when it had been appropriate in 2012, 2013, 2015 and 2019, and asked that it be included in the Minutes of the meeting. He could not specify the Agenda Item or Minute reference, but the Democratic Services Manager suggested that he might be referring to page 16 of the Minutes. The Chairman reminded Members that the Minutes of a meeting were intended to provide a summary rather than a verbatim record of proceedings, and could not include all comments made. When invited by the Chairman to formally propose an amendment to the Minutes, if he did not believe them to be a fair summary, Cllr Downey declined.

It was resolved:

That the Minutes of the Planning Committee meeting held on 3rd November 2021 be confirmed as a correct record and be signed by the Chairman.

54. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed the Committee that Emma Barral, Planning Officer had left the Council since the last meeting. He thanked her for her excellent service and wished her well.

He requested that Officers ensure Members be referenced by name in their reports, rather than “Ward Member” or similar, and asked all Members to remain at the end of the meeting in order to discuss plans for future site visits.

55. 20/00880/OUM – OS LAND PARCEL 7216, BURY LANE, HADDENHAM

Toni Hylton, Senior Planning Officer, presented a report (W119, previously circulated) on behalf of Case Officer Emma Barral. The report recommended approval of an application seeking outline consent (with all matters reserved) for the change of use of agricultural land to recreational land to create a new recreational ground for the Haddenham Parish Council (applicant) to include football pitches, parking, changing rooms, access and associated works.

The Senior Planning Officer emphasised that the application was for outline permission only and that all matters were reserved. She drew Members’ attention to the update sheet that had been circulated on 29th November and referenced a detailed objection from CPRE (circulated in full the previous week), a standard condition¹ that had erroneously been omitted from the recommended conditions in the report, and 4 additional neighbours’ comments.

Members were shown a block plan and aerial photograph to demonstrate the site’s location to the west of Haddenham, adjacent to the village’s development envelope, west of the village’s conservation area and south of New Town Road. An indicative proposed site plan was shown to illustrate where the pitches, car parking, and changing facilities could be located, although the actual layout would form part of a subsequent reserved matters application if outline permission was granted. Site photos showed New Town Road (the proposed access road) and Pocket Park as well as Bury Lane (proposed pedestrian and cycle access).

An earlier version of the application had been considered by the Committee in December 2020 and Members had voted to defer the application in order that the applicants could complete an ecology survey and carry out further investigations in relation to the site access for vehicular and pedestrian traffic. Visual and residential amenity, flood risk and drainage had all been dealt with in the presentation in December 2020. Visual amenity could not be determined without full details and therefore it would need to be considered as part of a reserved matters application. In terms of residential amenity, Members would need to consider the impact of vehicular movements but the recreation ground itself was unlikely to cause harm. Regarding flood risk, the site was located in Flood Zone 1 and adequate surface and foul water drainage could be secured by condition.

Notwithstanding the above, the main considerations for the application were deemed to be:

- **Principle of development** – no other suitable or available sites had been found within the development envelope of Haddenham. The proposed site was well located in relation to its catchment population due to its position

¹ **Condition 13:** Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.

directly south of Pocket Park and with existing pedestrian access in the south east corner from Bury Lane. The impact upon the character and appearance of the locality and neighbour amenity would depend on the extent of the development. Given the distances retained, the proposed pitches were not considered to result in significant harm to visual or residential amenity. In terms of traffic generation, the applicant had stated that the football pitches would be used on Saturdays and Sundays during the football season, as well as for evening training sessions when daylight permitted, as well as occasional other weekday sporting activities. The principle of the development would only be considered to be acceptable if all aspects of policy COM4 were satisfied, including that the scheme must not have a significant adverse impact (itself or cumulatively) in terms of scale or nature of traffic generated.

- **Highway safety and car parking** – the proposed means of access was reserved for future consideration, although in December 2020 the applicant had been asked to provide further details regarding vehicular and pedestrian access. The applicant had subsequently submitted an amended plan demonstrating an indicative layout, and a Highway Technical Review, in June 2021. The vehicular access would be from New Town Road, with additional pedestrian access from Bury Lane. The Review concluded that the proposal would not overburden New Town Road, double yellow lines should be added at the junction of New Town Road with the A1123, 70 car parking spaces would be needed, and no coach access would be required. Upon considering the Review, the Local Highway Authority (LHA) accepted that the capacity of New Town Road would not be overburdened and that sufficient parking for vehicles and cycles could be provided, but questioned whether the increase in traffic would have an adverse impact on the amenity of the road's residents. The LHA requested that a construction traffic management plan condition be applied should the application be approved.
- **Biodiversity** – the site was high in ecological potential and the possible presence of protected species had been reported by third party consultees. A Preliminary Ecological Appraisal Report had been submitted and concluded that although there would be a loss of ecological value, mitigation could be put in place.
- **Other matters** – due to its location within Flood Zone 1, the principle of development was considered acceptable in terms of flood risk. The Tree Officers had advised that access from New Town Road should use as much of the existing track as possible in order to minimise tree loss. It would be advantageous to condition a soft landscaping scheme including suitable mitigation planting and screening.

In summary, the principle of the application was considered to be acceptable and there was a clearly demonstrated need for the facility in the locality. The Local Highway Authority had raised no objection, subject to conditions as detailed in the report and the update sheet. On balance, the traffic increase on New Town Road was not considered to cause demonstrable harm to the residents. The application was therefore recommended for approval.

The Chairman thanked the Officer and stated that he would be extending the permitted speaking time for all public speaking categories from 5min to 8min, following a request from the Chairman of the Parish Council who wished to ensure

that those speaking against the application had sufficient opportunity to explain their views.

Astra Carter-Marsh then addressed the Committee as an objector to the proposal. She explained that New Town Road was a cul de sac with much on-street parking during the evenings and weekends. Double yellow lines at the junction with the A1123 would be unsafe and since they would not be policed they would be ineffective. Street play was recognised to be beneficial for exercise, creative play, friendships and community cohesion; this was possible in a cul de sac but independent street play would no longer be available if New Town Road became a through road. She was pleased to see that the Local Highway Authority shared the residents' concerns about their amenity. In addition, she was concerned about the proposed new facility attracting antisocial behaviour and she felt strongly that the Parish Council had not consulted the public in the way that they should have done for a proposal involving a community facility such as Pocket Park. Pocket Park had been made by the community and was the only such facility in that part of the village. There was an abundance of nature on the site and it was popular for dog walking and children playing, as well as various community groups using it for meet ups over the past year. It would be cut in two by the new access road and community-planted trees would be removed during the construction. Both the ECDC Local Plan and the NPPF stated that it was not acceptable to lose open spaces in order to develop community facilities, and therefore the proposal was unacceptable.

Helen Marriott then presented her objections to the proposal from the perspective of the Sustainable Haddenham group who had considered the wider environmental impact. There was no opposition to the principle of additional football pitches, however the proposed location was not suitable. The Haddenham Bowl was a significant site in terms of ecology and it was very tranquil. Development at that location had been strongly resisted by the Parish Council in order to avoid setting a precedent, and this was reinforced in the draft Haddenham Neighbourhood Plan. This application therefore contradicted the Parish Council's own policy. The proposal was not simply for playing fields, it also included access, parking and changing facilities, and it was not fit for purpose. The site was known to be waterlogged and the need for a ground survey had not been addressed. There had been no adequate demonstration that there were no other suitable locations for the proposed pitches. It had been stated that it was not acceptable for teams to have to travel to other villages, however, some teams included residents from those villages and people tended to drive regardless of the location. There appeared to have been no consideration given to extending the days and hours of use of the existing facilities as a way to overcome the pitch shortage, and she believed that to be due to the FA only providing funding for new facilities rather than improvements to existing facilities. Pocket Park and the Haddenham Bowl should be protected; the proposed site was not appropriate for the new facilities.

In response to questions from Cllr Trapp, Ms Carter-Marsh indicated the location of Pocket Park on a map from the Officer's presentation and explained that the track marked from New Town Road to the pump house was in fact a barely-visible grass-covered track. She also confirmed that children played both in Pocket Park and in New Town Road.

Cllr Jones questioned where the evidence came from regarding FA restrictions. Ms Marriott explained that, early in the development process, she had spoken to a leading figure within Haddenham Colts and he had stated that FA rules only permitted matches to be played on Saturday mornings and she understood it therefore appeared easier to build a new pitch. In response to Cllr Downey, she stated that she had no numbers regarding the likelihood, or otherwise, of long-term demand for additional pitches.

Cllr Huffer asked for more information about the access from Bury Lane. Ms Carter-Marsh explained that, although it was suitable for pedestrians, the surface was rutted and uneven. Ms Marriott added that she understood Bury Lane to have been discounted as the main access point on environmental grounds; it was even more precious than the Haddenham Bowl in that context.

The Chairman then invited the applicant to address the Committee. Parish Cllr Chris Ray, Chairman of Haddenham Parish Council, thanked the Officer for her comprehensive and balanced report regarding the application. He explained that recreation grounds were integral to parish life and were taken seriously by the Parish Council and reviewed regularly. Healthy exercise was important for young people and the village had recently benefitted from a new skate park, a MUGA, cricket nets and artificial surface, and a renovated pavilion. There was also an intention to renew playground equipment. The need for additional football pitches had been identified four years previously and there were now >200 children playing football in 13 teams. When the need was identified, seven teams were playing elsewhere due to pitch availability and consequently a search had been undertaken to identify a suitable new location. The Parish Council had been offered the application site and had chosen to apply for outline planning permission prior to securing the option to purchase the site. He noted the objections and commented that the concerns regarding traffic were understandable. Regarding the environmental concerns, he felt that, although it would no longer be a farmer's field, it would still be a green space. He hoped that the contents of the Officer's report had allayed the objectors' concerns. The proposal was for a recreation ground where the Haddenham Colts would mark out pitches according to need, the goalposts would be removed after each session and therefore there would be little affect on the landscape when matches or training were not taking place. The expectation was that the pitches would be in use on Saturday mornings, possibly on Sunday mornings, and occasionally during weekday evenings in daylight hours. There would be no coaches accessing the site. Although changing facilities were a requirement of the FA, they were not expected to be widely used. If the outline application was approved, then the Parish Council would further develop the proposal in full consultation with residents and would subsequently submit a reserved matters application only if they were convinced that the majority of the community was in favour.

Cllr Huffer asked whether residents would continue to have the access that they currently enjoyed, including for dog-walking. Parish Cllr Ray confirmed that pedestrian access would remain and would in fact open up a circular walking route by connecting New Town Road with Bury Lane. He also explained that dogs were allowed on the recreation ground, subject to them being on leads during football matches and training sessions, and he would anticipate the same at the new facility. The Bowl area was important and the Parish Council would not wish to spoil it. Cllr Downey questioned whether community groups would still be able to

host events as mentioned by the objectors. Parish Cllr Ray confirmed that the Parish Council wanted to keep the existing track to the pump house in order to minimise the impact on Pocket Park and would intend to provide an environmentally-friendly access through to the recreation area. Overall the facilities available to the community would be increased.

In response to questions from Cllr Trapp, Parish Cllr Ray explained that the application site was currently a hay meadow and the track shown on the site map running north from the north eastern corner of the site ended on private land.

Cllr D Ambrose Smith queried the amount of time that the land would be used since, in his experience, the football season extended into the summer months and training sessions took up at least as much time as matches so he imagined that the new facility would attract a greater amount of use than was currently envisaged. Parish Cllr Ray explained that, once complete, the village would have two facilities each enabling a full programme of three concurrent matches. The existing training facilities on the recreation ground included some floodlighting and the overall intention was to provide >200 children with the facility to play football whilst minimising the inconvenience to all residents.

Cllr Austen stated that she had received ten phone calls from concerned Haddenham residents who had not been aware of any consultation on the proposal. Parish Cllr Ray explained that consultation sessions had been publicised although he conceded that they had not contacted every house in the village. A further consultation would be undertaken if the application was approved, and prior to scheme design in consultation with residents. He suggested that the results from their survey had indicated that approximately 5% of the village were opposed to the proposal, with 5-10% (most of whom were connected to the football club) in favour, and the rest of the village held no strong opinion.

In response to questions from Cllr Hunt, Parish Cllr Ray explained that teams currently played in a variety of locations including Wilburton and Mepal as well as looking further afield to Earith and Bluntisham. The need for additional pitches in Haddenham had been clearly demonstrated but a level site had proved hard to find within the village. The proposed site would be locked for vehicular access when matches or training were not taking place, but would be open to pedestrians at all times and the whole area would be accessible for play. A landscaping plan would be needed for the green space, which could include the provision of new trees if considered appropriate.

On the invitation of the Chairman, the Democratic Services Officer read aloud the following statement supplied by the Cambridgeshire and Peterborough branch of the Campaign to Protect Rural England (CPRE).

“Thank you for the opportunity to address the Committee in this way. Due to a combination of business commitments and illness we are unable to attend in person.

CPRE Cambridgeshire and Peterborough has strong objections to this proposal. We have detailed these in our letters of 28 October 2020 and 23 November 2021.

CPRE is a strong supporter of all kinds of sporting activity within local communities but these must be set against the effects these activities will have on neighbours and, in this case, upon the singularly important landscape known as the Haddenham 'bowl'.

On several previous occasions, CPRE has worked with local communities, this council and members of this committee to protect the landscape around the Haddenham area and the 'bowl', and we continue to do so. This has included developments on Bury Lane, a wind farm on Berry Fen, development along Wilburton Road and, slightly further afield, the Mereham development between Wilburton and Stretham where the evidence of the late Miss Shirley Fieldhouse was quoted in the Inspector's recommendation to refuse.

We are very concerned that this development will make it much more difficult to defend future applications or re-applications to develop along Bury Lane.

The Haddenham 'bowl' is an exceptional landscape containing clear and visible evidence of the development of the settlement of Haddenham prior to the fen drainage, and since. This historical significance is set out most clearly in the report by local historian and former chair of the Institute of Field Archaeologists, Jez Reeve, who stated in the report included with our letter:

"The views from the ridge are not just aesthetic but practical, giving landowners the opportunity to keep an eye on their property. From the fen ground the high ground is the view of home and society. One does not exist without the other. Were farmers from the past to revisit the parish they would instantly relive these relationships because they have not changed."

and, quoting from Gillespies' report also included with our letter:

"The ridge, rising out of the flat fen landscape, has been a signifier of settlement, safety and the route to Ely for hundreds of years."

The site is outside of the Local Plan development envelope and immediately adjacent to the Haddenham Conservation area. Bury Lane is a rare example of an "access drove". That is to say a wide public roadway or drove which provided access from the village to the 'highland' fields between the village and the fen, and still does. The field to the north at the top of Bury Lane is within the Conservation Area because it is a "ridge and furrow" field and the pattern of Middle Age agriculture remains clearly visible, as does the settlement pattern bordering it.

The ancient landscape pattern which includes the proposed development is clearly visible around the 'bowl' from the western end of the Haddenham Conservation Area, such as Feasts Green and Aldreth Road, from the Hillrow Conservation Area and from Long Drove and the Willingham to Earith road.

The local hedgerows are ancient and a recent species count along Bury Lane found 10 species of hedgerow shrub. Eight species of bird listed in the UK Biodiversity Action Plan, plus the now rare turtle dove, are known to visit the area. Thirteen species are resident. Five species of raptor and owl nest nearby. Three species of bat, including the very rare Nathusius pipistrelle, are known to roost in the 'bowl'.

This is an unspoilt, wildlife rich space, well used by birds, mammals and reptiles. This is likely due to the almost complete lack of disturbance apart from the occasional walker and farm traffic. How can the noise and disturbance of several football pitches and up to seventy parked cars on a large area of tarmac be consistent with conserving this level of nature, let alone achieving Natural Cambridgeshire's ambition of "doubling nature"?

We are concerned at the loss of best and most versatile land especially in a location where much of the surrounding farmland, the Fens, is likely to be lost to sea level rise over the next thirty to fifty years.

CPRE believe that this proposal will create frequent and prolonged noise disturbance to local residents, especially those living at Newtown Road and the top of Bury Lane. We are concerned that the narrow access along Newtown Road will cause damage to residents' vehicles and the opportunity for argument and dispute.

There is a risk that if the current application is allowed, pressure for floodlighting will follow, leading to unsightly structures in the landscape and significant light pollution.

Having talked to residents of Haddenham, CPRE believes there may well be alternatives to this site which appear not to have been explored. For example, the facilities used by the Boxing Club and those belonging to the charity which hosts youth camps at Third Bridge.

The Haddenham 'bowl' and the area surrounding Haddenham and Aldreth currently feature in CPRE's nationwide tranquillity maps as being in the most tranquil category. This peaceful environment should be preserved and not endangered."

The Ward Member for Haddenham, Cllr Wilson, who was also a member of the Parish Council, then addressed the Committee and stated that he believed many of the objections to be concerned with the initial application in which there had been significant car parking on the public park, whereas in the current application all parking would be on the new field. Pocket Park would remain "as is" with the exception of cars passing through it along the same route that was currently used to access the pump house. He also believed that many users would travel by foot or bicycle. There was no reason to think that there would be any floodlighting on the new site, and the floodlights on the existing recreation ground were in fact for the MUGA rather than the football pitches. Any special matches or events would be hosted at the existing ground. The purpose of the application was to provide facilities needed by the young people of the village without the requirement for a car. The club was thriving, including several girls' teams, and should be encouraged. He echoed the applicant's comments that a suitable flat location had been hard to find, and commented that £31k had been required in order to level the existing recreation ground. No green facilities would be lost in the creation of the new facility and the Parish Council would ensure that all environmental aspects were correctly addressed. He urged the Committee not to refuse the application on the grounds that some people opposed the idea of additional traffic in New Town Road; he considered this to be unfair to the >200 children who would benefit from the scheme. Without the outline permission the Parish Council could not commit

the resources required to obtain the necessary grants to purchase the land. Once in place, the Parish Council would consult with nearby residents regarding the facilities, the building, and additional trees but no progress would be possible until outline permission had been granted.

Cllr Huffer questioned the assertion that Pocket Park would remain unaltered since vehicles would need to cross it and plumbing would be required for the changing facilities. Parish Cllr Ray interjected to explain that sewerage was already in place *via* the pump house. Ms Marriott also interjected to state that she considered Cllr Wilson's first statement to have been insulting to both objectors present at the meeting, and others who had submitted valid concerns. The Chairman reminded all attendees that speaking was on the invitation of the Chairman and was restricted to the appropriate slot only.

Cllr Downey asked about the boxing club that had been mentioned in the statement supplied by the CPRE. Cllr Wilson stated that it was a successful club that used the pavilion on the recreation ground and had no plans to move. The recreation ground had many good facilities, but not enough football pitches.

In response to several questions from Cllr Trapp, Cllr Wilson confirmed that the land to the west of the site was similar and therefore although there would be loss of habitat it would not be eradicated, the goalposts would be taken down when not in use and dog walking would simply require leads as were currently required on the recreation ground. Finally, with regard to the track and parking, the application was purely indicative and the Parish Council would consult the community, but his personal opinion was that matting and grass would be best.

Cllr Wilson left the Chamber.

On the invitation of the Chairman, and in response to a concern raised by Ms Marriott, the Senior Planning Officer drew Members' attention to proposed condition 10 regarding site surveys and ground conditions. In response to questions from Cllr Trapp regarding the parking provision along New Town Road and the need for 70 parking spaces at the new recreation ground, the Officer started that the number of spaces in the car park would be in accordance with policy COM8, and the Chairman reminded Members of the importance of visiting each site themselves in order to picture the locations.

The Chairman then opened the debate and emphasised that the application was for outline planning permission with all matters reserved.

Cllr C Ambrose Smith expressed her support for the application based on the importance of encouraging all young people to exercise. Cllr Trapp agreed, and added that it would increase the amenities of Pocket Park by providing access to a larger field and the possibility of a circular village walk through the field. He was conscious of the impact on New Town Road but that would only be on certain days. Cllr Stubbs expressed sympathy for the New Town Road residents and understood that they would not wish the nature of their cul de sac to change, however, she considered that the Parish Council had worked hard to address the additional information that was requested when the application was previously deferred and she proposed that the Officer's recommendation for approval be accepted. Pocket Park would be retained and dog walking would still be allowed. The Parish Council

had endeavoured to please everyone. Cllr Hunt seconded the motion and added that it had been made clear that there would be no floodlights and that the new development would be an “annexe” to the main facility on the existing recreation ground, with any competitions being hosted at the main facility. He recognised the concerns of the New Town Road residents but considered that a larger and safer play area would become available to them with this development.

Cllr D Ambrose Smith commented that, having driven to the site to view it, he was concerned that its location was such that the majority of users would drive to it and he did not consider that New Town Road could accommodate the resulting volume of traffic. Cllr Huffer expressed her support for encouraging exercise, but agreed with Cllr D Ambrose Smith that children’s exercise should not come at the expense of residents who she believed would suffer year-round disruption, particularly at weekends, along a narrow road with difficult parking. She agreed with the comment in the CPRE’s statement regarding the potential for disputes and had found the statement very enlightening with regard to the potential cost to wildlife. Given the size of Haddenham, she did not believe that this could be the only suitable location for the proposal and whilst she understood the need for the facility she did not consider this site to be appropriate.

Cllr Downey considered the proposal to be good and had been convinced by the presentations that green space would not be lost to the village so overall there would be a net gain. Parking was an issue throughout the District and he reminded Members that the Council had proposals regarding dealing with “hotspots” of parking issues so, if necessary that could be applied to this location. Cllr Jones also expressed broad support whilst understanding the concerns of the residents and expressing cynicism as to whether the Parish Council would stop the development if support was not widespread.

The Planning Manager reminded Members that the Officer recommendation now included an additional condition, as detailed in the update sheet and highlighted in the Senior Planning Officer’s presentation.

It was resolved with 7 votes in favour, 3 votes against, and 0 abstentions:

That planning application ref 20/00880/OUM be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer’s report and the additional condition detailed in the update sheet.

2:28 – 2:33pm meeting adjourned for a comfort break. Cllr Wilson returned to the Chamber.

56. 21/00410/FUL – 2 HALE FEN, LITTLEPORT, CB6 1EN

Holly Chapman, Planning Officer, presented a report (W120, previously circulated) on behalf of Case Officer Emma Barral. The report recommended refusal of an application seeking planning permission for the replacement of an existing dwellinghouse with a new dwellinghouse and ancillary annexe with a garage.

Members were shown a block plan, aerial photographs, and photographs from two public highways demonstrating the site’s fairly isolated location outside the development envelope of Littleport, within flood zone 3, and visible from the A10

and Hale Fen Road. Photographs were also provided of the existing dwellinghouse which the Officer reported to be of good architectural design and having a footprint of 140sqm and floorspace of 224sqm. A site plan illustrated the proposed location of the new dwellinghouse, further from the site boundary than the existing property, and the relative sizes of the existing and proposed buildings. Elevations, dimensions and floorplans were provided for the proposed development. When compared with the existing dwelling, the proposed dwelling would have a ridge height greater by 1.4m, a 10.1m greater depth, a 20m greater width, and a 228sqm increase in footprint.

The main considerations for the application were deemed to be:

- **Principle of development** – the annexe was considered to have 130sqm of floorspace comprising a hallway, coat room, wet room, sitting room with kitchenette, and a games room and utility room linked to the ground floor of the main house, together with a bedroom and bathroom on the first floor. When considering the National Technical Space Standards, a property with 130sqm of floorspace could be a 6-bedroom 8-person dwelling. The minimum size for a single-storey 1-bedroom 2-person dwelling would be 37sqm. Consequently, the proposed annexe was considered to be excessive in scale and footprint and was capable of being used as a separate residential dwelling, therefore it was contrary to policy GROWTH2 that restricted the creation of new dwellings in the open countryside. Replacement dwellings were required by policy HOU8 to be of a similar height to the original and be of a scale and design sensitive to the countryside setting. Exceptions could be made for exceptionally high-quality design. The proposed design was considered to have limited architectural details and not of exceptional quality: the dormers were mismatched and the bay window out of keeping, the roof forms and fenestration were not in keeping, the garage was sizeable and disproportionate. Amendments to the design had been sought and made but had not reached the point of suitability for approval. It had not been proposed as a rural workers dwelling and therefore policy HOU5 was not relevant.
- **Visual amenity** – the existing dwelling was modest in size and the proposed new footprint would be 2.6x the original and sizeable in terms of site coverage. By virtue of its excessive height, width and scale the proposal did not comply with elements of policy HOU8 requiring a level of cohesion with the original dwelling (in this case a traditional rural cottage) and a scale and design sensitive to its countryside setting. The proposed development would be a clearly visible and prominent addition to the local rural landscape and would be contrary to policies ENV2 and HOU8 in respect of replacement dwellings in the countryside.
- **Residential amenity** – due to the significant distance between the replacement dwellinghouse and other nearby dwellings or businesses it was not considered that it would result in any detriment in terms of residential amenity.
- **Highways/parking provision** – the site would use an existing access and the Local Highways Authority had no objection to the proposal.
- **Trees and biodiversity** – the proposal included new tree planting, new native species hedge planting and the addition of bird boxes. It was considered to satisfy the net biodiversity gain and ecology requirements.
- **Flood risk and drainage** – the site was located in flood zone 3 but as a proposal for a replacement dwelling the principle was not unacceptable. A

Flood Risk Assessment had been submitted and a condition could be applied to ensure that no significant flood risk impacts would be created. The design included the elevation of floor levels above those of the existing dwelling, and draining the site using soakaways.

In summary, the proposed dwelling did not comply with policies ENV2 or HOU8 due to its scale, height and design and the consequential impact on the visual amenity of the streetscene and the character of the wider area. The excessive scale and footprint of the proposed annexe was inconsistent with proposals for genuine ancillary accommodation and it was therefore considered to form a separate new dwelling which would be contrary to policies ENV2 and GROWTH2 of the Local Plan 2015. The application was therefore recommended for refusal.

The Chairman invited the agent, Neil Cutforth, to address the Committee. He stated that the applicant's family had run the farm for over 90 years and the existing building was suffering from subsidence and had been condemned. They wanted to replace it with a traditional style of building, upgraded to be suitable for a young family and the applicant's parents. The main dwelling would be a three-bedroom home with potential to extend into the roof at a later date. The utility and games room were part of the main house rather than the annexe and the functionality would be shared by all three generations. The building would be built in a traditional style and oak would be used for the porch and car lodge. A two-car garage was not excessive and, when compared with the existing house, the building would maximise sustainable design in accordance with ENV4 and the Climate Change SPD. The Officer had required an "innovative" design but that was not specified in policies. The applicant believed the design to meet the requirements of policy ENV2 in the context of the locality and it would enhance and preserve the setting. Policy HOU8 required the scale to be sensitive to the setting, in that context the Case Officer had requested the ridge height be reduced to a 1.2m increase when compared to the original dwelling. The applicant's final design was a little over 1.3m higher and the Case Officer had agreed that, although generous, the height would be satisfactory. The Planning Team Leader had requested that the garage be repositioned and the applicants had assumed that the request would not have been made if the size of the garage was itself a problem. The annexe met the criteria detailed in paragraph 2.3 of the report and provided 60sqm of floorspace for the applicant's parents in the form of a bedroom, a bathroom, and living space. There was no intention to allow anyone else to live in the annexe or to separate it from the main dwelling, and the applicants would be happy with a condition to that effect. Members had been provided with photographs demonstrating the minimal impact of the proposed design on the landscape. The design was sympathetic to tradition and met the requirements of policies ENV2 and HOU8, Members were asked to approve it.

Cllr Downey asked the agent to clarify the discrepancy between the Officers' view and the applicant's view regarding the floorspace of the annexe. Mr Cutforth explained that their opinion was that the annexe comprised a bedroom, a bathroom and a living area with a total area of 60sqm. The Officers had included the games room, utility and wet room in the footprint of the annexe – which had been designed to be shared with the main house – thereby giving an annexe area of 130sqm. He explained to Cllr Jones that he considered "innovative" style to mean a more modern way of doing something, and the report had inferred that high quality of design was essential, but "innovative" was not included in policy HOU8. In

response to questions from Cllr Trapp, the agent stated that the original design had included bedrooms and an office on the second floor but those had been removed for cost reasons and due to the required reduction in height. Nonetheless, there was an intention to use the roof space as habitable space in the future and the design was important as a cohesive link to the adjoining 1.5-storey annexe. Subsidence of the new building would be avoided by the use of piled foundations designed for the ground conditions.

On the invitation of the Chairman, Cllr C Ambrose Smith addressed the Committee as Ward Member for Littleport. She declared her support for the application and for multi-generational living in general. The current residents wanted to remain living on the land they had worked, and the younger generations would become the 5th generation of the family to live on the land if the application was approved. The applicant would take on more responsibility for the running of the farm, and proposed to return livestock to the land as it would have existed decades ago. She did not understand why Officers had included the wet room, games room, and utility in their assessment of the annexe accommodation since, in her view, they were clearly intended for wider family use. The applicant had designed a building to accommodate three generations as well as the facility to work from home and to support the farm operations. All services would be shared between the main dwelling and the annexe, as would the entrance doors, the parking, the driveway and the surrounding garden. The original property had been built in the 19th or early 20th century when lifestyles were very different and families lived in smaller spaces. When designing a new home, it made sense to cater for the present and the future rather than to adhere to previous standards. Other building along Hale Fen included far larger properties, such as that at No.36, which could be more susceptible to sub-division. The family wished to live sustainably and supportively in familiar surroundings and she urged the Committee to give careful consideration to the points she had raised.

There were no questions for the Ward Member.

Cllr C Ambrose Smith left the Chamber.

The Chairman invited the Planning Officer to make any further comments and she clarified that Officers were not objecting to the principle of an annexe, or to a replacement dwelling, the concerns were regarding the excessive scale of the building, despite the amendments that had been made. She referred back to the floorplans and indicated that the games room appeared to be part of the annexe and the main house had sufficient space to accommodate a games room elsewhere. In addition, the utility room was large and it was necessary to consider that it could be used as a kitchen for the annexe in place of the small kitchen area that was indicated on the floorplan.

In response to a question from Cllr Trapp, she stated that she believed the 13m width to refer to the exterior dimensions. Cllr Wilson questioned whether it would be possible to prevent the annexe from being separated to become an extra dwelling in the countryside, and asked about CIL payments. The Planning Team Leader stated that CIL was charged after construction and was based on the new floor space less that which had been lost. A condition or legal agreement would be possible, however, the proposal was considerably larger than what would be considered acceptable for an annexe. He reiterated that a minimum dwelling size

would be 37sqm, whereas the annexe would be at least 60sqm (if accepting the agent's view rather than the Officers' regarding which rooms constituted the annexe) and therefore was considered to be a dwelling rather than an annexe.

Cllr Huffer stated that she understood that Members needed to consider the application as presented, rather than judging it on potential alterations, and she considered architectural design to be subjective and therefore "exceptional design" would be a personal choice. The Planning Officer explained that Officers were of the opinion that the size of the property would clearly be excessive. The annexe should be ancillary to the host. In terms of the design, it was considered to be lacking cohesion and fell short of exception, the scale also compounded the issues preventing it from complying with policy HOU8.

In response to questions from Cllr Downey, the Planning Officer confirmed that there was a single ground-floor doorway between the host dwelling and annexe which established a functional link but did not outweigh the scale. The Planning Team Leader explained that Officers considered the proposed annexe to be out of scale for an annexe since its floor space was considerably in excess of the 37sqm minimum size for a 1-bedroom 2-person dwelling. Annexes should remain reliant on the main house with the main space being provided there and the annexe being a much smaller floor area. Cllr Trapp commented that he had concerns regarding future-proofing since a first-floor bedroom with no lift access may not be suitable for elderly occupants, therefore the annexe had the appearance of a separate dwelling. The Planning Team Leader agreed with that view and added that in the Officers' opinion the games room could become a bedroom in future.

Cllr D Ambrose Smith challenged the Officers' use of the building's dimensions to demonstrate that its size was excessive and said that the garage should be excluded from both the measurements and the multiple when comparing the proposed size with the existing dwelling. He also asked why a maximum size was being applied when the Council did not specify a minimum size. The Planning Officer confirmed that the stated 2.6x size increase had included the garage, as this was included in the built form. She also explained that dwellings in the countryside needed to be sympathetic to the building which they replaced. In response to a question from Cllr Stubbs, the Planning Officer showed the block plan and highlighted the proposed footprint and the smaller existing footprint.

Cllr Jones asked whether the Officers' recommendation would have differed if the same building had been a single dwelling rather than a host dwelling with annexe, and questioned what would be the impact of the size since the proposal was for a replacement dwelling in an isolated location. The Planning Manager reminded Members that they needed to consider the application as presented, and that the scale of the building was an issue in the view of Officers. Full details regarding the assessment against policy were in the report, but in summary the scale and design should be similar to the original dwelling.

The Chairman then opened the debate. Cllr Brown considered the proposal to be replacing an existing dwelling. In his opinion the design was acceptable and he did not feel that it would be intrusive. He proposed that the application be approved on the grounds that it would not be contrary to policy HOU8. Councillor Huffer seconded the proposal and agreed it was a nicer design than the existing dwelling, she also suggested that the desire to exceed minimum standards should not be

criticised. Cllr D Ambrose Smith agreed and Cllr Jones added that he did not consider the proposed building to be out of scale since it was in an isolated location. Cllr Downey commented that the Officer's evaluation of the size as "excessive" was subjective and he could not see any harm that approval would cause. He disagreed that the main dwelling and the annexe could be easily subdivided and, although personal circumstances were not a planning consideration, he felt it appropriate to understand that a larger home might be desired in order to accommodate a larger multi-generational family. Cllr Wilson considered that no-one had objected to the proposal apart from the Officer and that he could therefore see no reason to refuse it.

Cllr Stubbs proposed accepting the Officer's recommendation for refusal on the basis that the application was for a replacement dwelling that would be substantially larger than the original building. In addition, the layout of the annexe did not support the idea that it was for an elderly couple. The Officers had provided advice to the applicants about complying with policies and that advice had not been adhered to. She did not consider the design to be of exceptional quality. Cllr Trapp seconded Cllr Stubbs' proposal to refuse the application. He supported the principle of multi-generational living but did not consider the proposed development to be suitable due to its lack of either a lift or a ground-floor bedroom in the annexe. In addition, the proposal was very large and approval would set a precedent. Cllr Hunt agreed that there were aspects to consider on both sides of the argument but on balance he felt that the national rules and local policies should be adhered to and he would therefore support the Officers' recommendation.

It was resolved with 6 votes in favour, 4 votes against, and 0 abstentions:

That planning application ref 21/00410/FUL be APPROVED on the grounds that it was considered that the proposal was in accordance with policy HOU8.

It was further resolved:

That the Planning Manager be given delegated authority to impose suitable conditions, including a condition tying the annex to the host property.

3:34 – 3:42pm meeting adjourned for a comfort break. Cllr C Ambrose Smith returned to the Chamber.

57. 21/00706/ESF – SOLAR FARM LAND TO THE EAST OF BREACH FARM, NESS ROAD, BURWELL

Andrew Phillips, Planning Team Leader, presented a report (W121, previously circulated) recommending approval of a cross-boundary application seeking permission for a solar farm, with the vast majority of the site being within West Suffolk and two relatively small strips of solar panels together with site access and grid connection being within East Cambridgeshire.

The Case Officer drew Members' attention to the additional information in the update sheet regarding comments from the Cambs Wildlife Trust and the Cambridgeshire Historic Environment Team, and a correction to paragraph 7.19 of the report which should read "This scheme of 49.9MW can power approximately 16,000 households."

Members were shown maps and aerial photographs to demonstrate the site location to the east of Burwell and its relationship with the boundary between the two Districts. Photographs of the site showed the established hedgerows and trees, and an indicative landscape scheme and indicative cross sections detailed the additional planting that would take place. The landscaping was acceptable in the view of Officers.

The inverters, batteries, switch gear, control station and most of the solar panels would be in West Suffolk. Images and dimensions were provided for them all. The solar panels would be 3m high. All material considerations were detailed within the Officers' report.

The main considerations for the application were deemed to be:

- **Environmental statement** – the 73 hectare site comprised agricultural land of grades 2, 3a and 3b as well as a small portion of non-agricultural land. The cumulative loss of agricultural land from the approved and planned solar farms (primarily Sunnica) used 515 hectares of the best and most versatile agricultural land representing 0.8% of East Cambs' and the former Forest Heath District's supply. It was considered that the proposal would lead to a low level of moderate detrimental impact to the land in the short-medium term and long-term benefits (after 40 years) due to the land resting. The site was within a dip approximately 5m lower than the surrounding land to the west, south and east. There would be significant and detrimental harm to the enjoyment of the byway of Haycroft Lane (to the south of the site) in the short term but little long-term harm once the cabling had been installed and the landscaping established. There would be no noticeable impact on Ely Cathedral and less than substantial harm to Burwell North Street Conservation Area in the short term while the cabling was laid under the road but this would be outweighed by the public benefit of renewable energy. There was a need for pre-commencement archaeological conditions to find, preserve and record any heritage.
- **Principle** – the IPCC had set a target of 45% reduction in CO₂ levels by 2030, the Council had declared a Climate Emergency in October 2019, and the NPPF, UK National Legislation, policy ENV6 of the Local Plan 2015, and the Renewable Energy SPD were all in favour in principle of promoting renewable energy *via* solar farms. The benefits of renewable energy should therefore be granted very substantial positive weight and consequently the proposal was considered to be acceptable in principle. Demonstrable and significant harm outweighing the benefits would be required to warrant refusal.
- **Landscape and visual impact** – due to the site's distance from Ness Road and Haycroft Lane, and its location within a dip in the land, there was considered to be minimal harm to the landscape from most public vantage points. The site entrance on Ness Road would be widened by 2.2m but the harm this would cause was considered to be minimal. From some points along Haycroft Lane the solar panels would be clearly visible until the landscape planting had established but it was expected that by year 5 there would be negligible harm to the character of the byway. Overall, in the short term there would be a negative impact to those travelling next to the site but the long-distance views of the landscape were unlikely to be affected from viewpoints within East Cambs. Once the landscape had established the visual harm would, at worst, be minor.

- **Highways** – the Local Highways Authority had raised no objections subject to conditions regarding access and construction traffic management.
- **Ecology** – the conditions proposed by West Suffolk in relation to ecology had been adopted in order to ensure that biodiversity would be protected across the site. No objections had been received from the Cambridgeshire Wildlife Trust or the West Suffolk Ecology and Landscape Officer.
- **Flood risk and drainage** – the Environment Agency and Lead Local Flood Authority had not objected to the proposal and it was considered to meet both the sequential and exception tests. Conditions were required to ensure that surface water was controlled and that the proposal would not contaminate water. The development had been designed to ensure that the electrics were not in areas considered most likely to flood.
- **Other matters** – the MoD, National Air Traffic Services Ltd and Cambridge Airport Ltd had not raised any concerns. Residential amenity could be protected by conditions to control the construction work including piling. Conditions would also be required in order to protect public safety in the event of a battery fire.

In summary, it was considered likely that there would be detrimental impact to the overall enjoyment of the countryside in the short-term due to the volume of solar farm construction in the area. The less than substantial harm to heritage was considered to be outweighed by the public benefits of the scheme. In the short-term the proposal would cause moderate detrimental harm to farm land supply, although there would be long-term benefits to the quality of the agricultural land due to its resting. Members were therefore recommended to grant delegated approval for the Manager to confirm suitable conditions with West Suffolk should they also grant approval for the application. It would be necessary for the conditions to match on both planning permissions.

On the invitation of the Chairman, the agent and applicant, Phil Roden and Kier Petherick, addressed the Committee. Mr Roden explained that they had been working closely with ECDC and West Suffolk Council for eight months to prepare the planning application and in the context of COP26 and Government announcements it was important to decarbonise the energy network. They were in attendance at the meeting in order to address any questions or concerns from Members. Mr Petherick explained that he already farmed other land that hosted solar panels within the region.

Cllr Huffer asked how it could be justified to use high grade agricultural land for solar panels and how it would be possible to guarantee that the land would be fit for farming in 40 years' time and the necessary farming skills would not have been lost by that point. Mr Petherick responded that he was an experienced fenland farmer around Ely and Stretham and grazed sheep around the solar panels on his farm. The land in question was grade 2 and 3 agricultural land with no irrigation and it was therefore mainly used for cereals and sugar beet, there was no grade 1 land in the proposal. Grazing sheep meant that ploughing was not required and this therefore had the additional benefit of enabling carbon sequestration. Farming skills and experience would not be lost because they would still be required for farming other land, there were also constant technological advances in land management so it evolved all the time. By using land for both solar panels and sheep it was effectively yielding two crops: energy and food.

In response to a question from Cllr Brown regarding the huge disruption to Burwell of running the cable from the panels to the sub-station, Mr Roden explained that the work would be temporary and conditions had been proposed to minimise the disruption. Cllr Trapp questioned why the electricity generated could not connect to the power lines running over the site, rather than needing the cable to the sub-station, and Mr Petherick agreed that it would have been a good solution but explained the technical issues that made this impossible. Cllr Downey asked whether Burwell Parish Council's suggestion could be implemented regarding the cables going to another sub-station, or connecting with Sunnica. Mr Petherick reminded Members that the Sunnica development had not been approved and there was a substantial amount of opposition to it.

Cllr Wilson asked about the efficiency of land use for solar panels when compared to using the same land for biofuel crops. He also asked about wildflowers on-site and the use of concrete under the panels in one of the pictures which would seem to suggest the land would not be suitable for grazing. Mr Roden explained that the concrete base was only used in areas of archaeological interest where a no-dig solution was required, in all other areas piling would be used to achieve a minimal footprint. Wildflowers would be grown around wide margins, together with hedgerows, and the grazing would occur over the rest of the site; there were recognised biodiversity gains for well-managed solar farms. Mr Petherick added details about the power output per acre for solar farms compared to that for biofuel crops and indicated that solar farms should be approximately 10x more efficient when considered in that way.

Cllr D Ambrose Smith asked about the lifetime of the solar panels and about their susceptibility to damage. Mr Petherick explained that he was seeing a 0.2% degradation rate on the panels he had installed in 2012, which was better than the 0.5% rate that had been anticipated, and indicated that they lasted very well. Mr Roden added that technology providers were constantly innovating and improving.

The Case Officer had nothing further to add so the Chairman invited questions from Members. Cllr Brown asked about the impact of the cumulative effect of multiple solar farms in the District. The Officer agreed that the cumulative impact needed careful consideration alongside the benefits of each scheme. There was a substantial need for renewable energy, however, the installation of a solar farm caused harm in the short-term *via* the disruption for cable installation etc and in the longer term *via* the loss of agricultural land and potential disruption to enjoyment of the countryside. As each solar farm application came forward the District needed to carefully consider the issues and at some point a decision would be made that no more could be supported. Cllr Huffer added that the existing and approved solar farms in the District already produced enough energy for three times the number of homes in the District. She was also concerned about the battery storage and the potentially devastating impact on nearby residents if a fire was to occur there. The Officer explained some of the best practice guidelines for managing battery fires and emphasised that planning conditions were applied to all approved applications in line with the best evidence regarding fire safety. In response to a further question from Cllr Trapp, he stated that a container system was used for the battery storage in order to protect against potential issues should elements from the batteries reached the water system.

The Chairman then opened the debate. Cllr Huffer spoke in favour of renewable energy, and commended the eloquent applicant, but questioned the amount of solar farms in the District and their impact on the landscape. Cllr D Ambrose Smith agreed with the necessity of solar farms but did not like their appearance.

Cllr Trapp commented that the location in a hollow was good because it would not be particularly visible. He also stated that there should be a Solar Energy Plan for the District. Cllr Wilson considered solar farms to be a positive contribution and stated that he would support the application. Cllr Downey welcomed the role that ECDC could play in supplying as much green electricity as possible and stated that there were many subjective issues at play, including the aesthetics of solar panels.

Cllr Hunt recognised the validity of concern that production in the District would exceed its usage, but all parts of the UK produced things for areas outside their own region. The Council had declared a Climate Emergency and therefore had a responsibility to do all it could in support of that. The policy on wind turbines meant that, as long as solar farms were suitably controlled and concerns for wildlife and public safety were suitably addressed, they should be supported. He proposed that the Officer's recommendation for approval should be accepted, and Cllr Trapp seconded the motion.

It was resolved with 10 votes in favour, 0 votes against, and 1 abstention:

That planning application ref 21/00706/ESF be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer's report.

It was further resolved:

That the Planning Manager be given delegated authority, in consultation with the Chairman of Planning Committee, to make minor amendments to the conditions at Appendix 1, and/or impose additional conditions that may be required by West Suffolk District Council.

58. 21/01142/FUL – 55 CARTER STREET, FORDHAM, ELY, CB7 5NG

Rachael Forbes, Planning Officer, presented a report (W122, previously circulated) recommending refusal of an application seeking agreement for a part change of use from an existing retail unit to a takeaway (*sui generis*).

The Case Officer read aloud a further email received from an objector reinforcing previous comments they had made that the corner was very dangerous and approval of the takeaway would add to the problem. She then showed Members maps and aerial photographs of the site location within the development envelope of the village, opposite The Chequers restaurant and the Co-op and relatively near to Scotsdales. Existing and proposed site plans, floor plans and elevations illustrated the minimal external changes that would take place to sub-divide the building into approximately 2/3 takeaway and 1/3 retail. Photographs of the site from various angles demonstrated its current appearance, its setting within Carter Street, and its car park.

The main considerations for the application were deemed to be:

- **Principle of development** – the site lay within the development envelope and the proposal could be considered to be a small-scale localised facility suitable for a village. A clear need had not been demonstrated but the takeaway was proposed to be situated within an existing commercial premises and there were other types of takeaway present in the area. The call-in had stated that there was much local support, however only one letter of support had been received in contrast to many objections from nearby residents. The proposal was well located with respect to its accessibility to its catchment population and it represented a shared use which could potentially be adapted for future community uses.
- **Visual amenity** – the site was in the vicinity of two Listed Buildings and formed part of a Locally Important View as defined in Policy 6 of the Fordham Neighbourhood Plan. The main external change to the vacant single-storey food store would be the replacement of one window to provide a door for the shop (the proposed takeaway would use the existing door). All final design elements, materials, colour choice and signage could be secured by condition, with the signage likely to require advertisement consent *via* a separate planning application. The Conservation Officer was satisfied that there were no conservation implications, and given the minimal external alterations it was considered that the proposal would not result in harm to the setting of the Listed Buildings, would not detract from the Locally Important View, and would comply with the relevant Local Plan and Neighbourhood Plan policies.
- **Residential amenity** – objections had been raised in relation to noise and disturbance, in particular with respect to trading hours, deliveries, noise from cooking equipment, anti-social behaviour and litter. The proposed opening times (12:00-14:30 and 17:00-22:00 Mon-Sat) would be similar to other nearby businesses, including the Co-op opposite, and the Environmental Health Officer recommended a condition regarding the opening hours and restricting deliveries to the same times. Further conditions had also been proposed with respect to details of the extraction and filtration system, and the submission of a noise impact assessment. The site already had permission for use as a shop and the surrounding commercial premises had similar opening hours, therefore the proposed takeaway was not considered to attract further anti-social behaviour. Conditions had been proposed by the Waste Strategy Team to address waste storage and potential littering. The minimal external changes would not result in any additional overlooking, overbearing or overshadowing of neighbouring properties. Subject to suitable conditions, the proposal was considered not to result in significant adverse impacts to residential amenity and therefore complied with policies ENV2 and COM4 of the Local Plan 2015 and Policy 2 of the Fordham Neighbourhood Plan.
- **Highway safety and parking** – multiple concerns had been raised by residents who considered that the road was already busy, the site was located close to a dangerous bend, there was competition of on-street parking and very limited on-site parking, and existing safety issues would be exacerbated. The existing car park had space for approximately 5 vehicles but no details had been provided on the submitted plans and it was unclear whether the car park was intended to serve both the takeaway and the shop, or just the takeaway. Based on the parking requirements of the Local Plan, 25.4 – 30.1 car parking spaces would be required depending upon the

nature of the shop and whether or not it was included. The shortfall in provision would therefore be at least 20.4 spaces and this would not comply with the Fordham Neighbourhood Plan which specified that development proposals would be required to meet the parking standards of the Local Plan as a minimum. It was recognised that permission was already in place for use as a shop, for which there would also be a shortfall for parking, however, the parking provision in the Local Plan was higher for a takeaway than for a shop which indicated that a takeaway was considered to be a more intensive use. There was no provision for delivery vehicles, and staff parking could reduce the availability of on-site parking for customers. In addition to insufficient parking provision, there was no space for turning or manoeuvring and this could result in vehicles reversing out of the site onto a busy road, directly opposite the Co-op entrance and close to a blind bend. The Local Highway Authority had commented that appropriate levels of off-street parking should be demonstrated together with turning space, a minimum access width of 5m, and 2m x 2m visibility splays. The proposed development was therefore considered to be contrary to policies COM7 and COM8 of the Local Plan 2015, and Policy 11 of the Fordham Neighbourhood Plan.

- **Other matters** – the nature of the site and the limited proposed external alterations would not lend themselves to a net gain in biodiversity and it was considered that it would be unreasonable to require a scheme of biodiversity enhancements. The site lay within flood zone 1, the area at lowest risk of flooding, and would not create any additional footprint or hardstanding, consequently the development would be unlikely to result in additional impacts to surface water drainage. No sustainability measures had been included within the application and whilst that weighed against it it would not form a reason for refusal.

In summary, the proposed part change of use was considered acceptable in terms of ecology and flood risk and was not considered to result in a significant adverse impact to the character and appearance of the area, or to residential amenity (subject to robust, appropriately worded, conditions). However, it was considered that there would be a significant detrimental impact to highway safety and would therefore be contrary to policies COM4, COM7 and COM8 of the Local Plan 2015, Policy 11 of the Fordham Neighbourhood Plan, and chapters 9 and 12 of the NPPF. The application was therefore recommended for refusal.

On the invitation of the Chairman, Jeremy Vincent addressed the Committee as an objector to the application. He explained that he was an immediate neighbour to the site and had huge concerns, especially with regard to the effect on traffic and parking. He had lived in Fordham for two years and was already frustrated with the traffic along Carter Street; his car had been damaged six times, there had been accidents and there had been one death. In addition to cars, a chip shop would be likely to attract work vehicles. The very limited on-site parking would probably be used by staff, the Co-op car park opposite was also often full, so vehicles would park on the street. Any vehicles using the car park would have the additional danger of reversing out onto the road. He was also concerned about waste management, the smell, and the potential for attracting anti-social behaviour. There was a chip van which visited the village and other catering vans which should be supported. New houses were being built elsewhere in the village with retail and parking, so a

chip shop would be better located there. Residents living close to the site were the experts regarding the traffic there and they should be listened to.

The Chairman then asked the Democratic Services Officer to read aloud a statement supplied by Vicki Jelleyman, another objector to the application:

"Ourselves and our neighbours at 53 and 49 strongly oppose this application. You have numerous objections documented from residents regarding this proposal along with Parish Council comments and County Highways. We ask that you please consider all factors. The main objections are well documented in our letters:

- *safety on the road, we have daily near misses on this bend with the Co-op exit, and the chip shop will add to the danger*
- *limited parking on Carter Street. There was a fatality from a pedestrian on this blind bend.*
- *environmental concerns - noise and odour from extractor fans, noise and unsociable behaviour in the cafe seating and outside on this quiet residential street*
- *it is not in keeping with the character of the area, with several listed buildings nearby*
- *it does not meet the Fordham Neighbourhood Plan as documented in my objection."*

Cllr Trapp asked Mr Vincent for more information about the parking for the Co-op and The Chequers; the Case Officer indicated the location on the previously-displayed map. Cllr Hunt commented that the application site could open as a shop with the existing parking provision and the objector replied that he believed customers would be more likely to remain in the immediate area after visiting a takeaway than a shop because they would eat in their car whilst the food was hot. In response to a question from Cllr Wilson, he explained that the site had previously been a Co-op prior to a new larger Co-op being built on a site across the road with a car park shared with The Chequers.

Cllr Huffer then addressed the Committee as Ward Member for Fordham and expressed her strong support for the application. She reminded Members that the application site had previously supported a Co-op that operated 7am-11pm seven days a week and had been so busy that it had relocated to a site across the road that was twice the size and shared a 23-space car park with the popular Indian restaurant, The Chequers. The Planning Inspector for the new Co-op site had not considered the bend to be dangerous and neither had County Highways, although in her personal experience exiting from the new car park was considerably more dangerous than it had been from the application site, due to the vastly superior visibility from the application site. The proposed opening hours of the takeaway (12:00-2:30pm and 5:00-10:00pm Monday – Saturday) did not, in her view, constitute an intensification when compared to the previous opening hours of the Co-op at the same site. The fears regarding anti-social behaviour and littering were understandable but there were nearby locations already favoured by groups of teenagers and she considered that the majority of customers would take their food home to eat. She did however suggest that, if approved, the applicants should source recyclable containers. In order to reduce the potential for odour she requested that the applicants should work with the Environmental Health team to ensure minimal disturbance to neighbouring properties by utilising a suitable extraction system. She challenged the assumption that all customers would visit

the site by car, citing its location in the heart of the village as evidence for the likelihood of travel on foot or by bicycle. There were two sheltered housing areas in nearby proximity, the residents of which were unable to drive and therefore couldn't access the nearest fish and chip shops in Soham, Exning or Newmarket. Approximately 600 new homes were due to be built in Fordham over the next 5 years and it was important that facilities were provided within the village to encourage everyone to shop locally and reduce reliance on car travel. She concluded that, with due respect to the Planning Officer, she believed that the application should be approved.

In response to a question from Cllr Hunt, Cllr Huffer confirmed that there had been a successful bid to fund a pedestrian crossing near to the site that would enable safe crossing at that point. Cllr Stubbs asked about the Parish Council's viewpoint since the report indicated that on 25th August they had objected to the proposal on the grounds of traffic concerns but on the 20th October Cllr Huffer had called-in the item on the request of the Parish Council, but no changes had been made to the application between those dates. Cllr Huffer confirmed that she was a member of the Parish Council but explained that, as a substitute member of the ECDC Planning Committee, she chose to leave the Parish Council meetings during any Planning discussions in order that she would not be pre-determined if an application was later considered by the Committee. She therefore did not know the content of the discussions at the Parish Council but personally felt strongly about this application and had therefore chosen to speak in support of it. In response to a further question from Cllr Stubbs, she stated that she did not know which aspect of the Neighbourhood Plan the objector's statement had been referring to, but she imagined it would be relating to the parking.

Cllr Huffer left the Chamber.

Referring to the mention of the Neighbourhood Plan in the objector's statement that had been read aloud, the Case Officer informed Members that the site was part of a Locally Important View outlined in the Fordham Neighbourhood Plan, and regarding parking the Neighbourhood Plan required that, as a minimum, the standards outlined in the Local Plan should be met.

Cllr Stubbs questioned whether approval of the application would affect the Neighbourhood Plan. The Planning Manager replied that it would be contrary to policy within the Fordham Neighbourhood Plan and Members would consequently need to justify going against the Local Plan and the Neighbourhood Plan.

Cllr Trapp asked whether the existing parking on-site had no turning space within it, meaning that vehicles would have to reverse out of the car park onto the road. The Case Officer confirmed that was the case, and added that the entrance to the new Co-op site was immediately opposite. She informed Cllr Wilson that she did not think there were double yellow lines in the immediate area.

Cllr D Ambrose Smith asked whether it would be possible to specify that the applicant would need to keep the area clean, but the Planning Manager explained that due to the nature of a public highway litter could originate from elsewhere and it was therefore not a reasonable condition to impose. The Case Officer confirmed to Cllr Jones that the current use class would permit a retail unit to be opened on-

site immediately. In answer to a question from Cllr Stubbs, she stated that she did not know why the applicant was not present at the meeting.

The Chairman then opened the debate. Cllr D Ambrose Smith spoke about his experiences of Littleport's takeaway outlets and available parking, suggested that consumption of the takeaway in customers' cars rarely happened, and stated that he could see no reason to refuse the application. Cllr C Ambrose Smith added that whilst she understood the importance of Neighbourhood and Local Plans, it was impossible to impose modern standards on historic layouts and therefore it was important to do the best that was possible within those constraints.

Cllr Jones expressed mixed opinions. The site already had permission to open as a retail unit in which case there would be vehicles accessing it. He was familiar with the location and agreed that car parking was a concern, but considered that the proposed car parking requirements would be an unreasonable burden for a takeaway. His experience of takeaways in Soham and Ely indicated that customers collected their order and left, rather than consuming it in their parked vehicles.

Cllr Trapp expressed concern about the traffic on the corner and indicated that, whilst still in two minds, he was leaning towards supporting the Officer's recommendation for refusal. Cllr Downey stated that the Officer's reasons for refusal seemed to be sound, with the proposal being contrary to policy, but there appeared to be many takeaway outlets throughout the District that would not concur with the stated car-parking policy.

Cllr Hunt agreed that the decision was not clear-cut and as such it was appropriate that the application had been referred to the Committee for consideration. However, he considered that the expert opinion of the professional Officers should carry weight and he therefore proposed that the application should be refused. Cllr Stubbs expressed concern regarding highway safety, particularly reversing cars, but also wished to support local businesses. She recalled Cllr Huffer speaking passionately about highway safety on a previous occasion. On balance she seconded Cllr Hunt's proposal to refuse permission for a part change of use.

Cllr Wilson commented that the site photographs indicated that the site was unattractive and becoming derelict, if permission were to be refused then it would be likely to remain that way since takeaways appeared to be more attractive than retail outlets.

Upon being put to the vote, the proposal that planning application ref 21/01142/FUL be REFUSED was defeated with 3 votes in favour, 7 votes against, and 0 abstentions.

Cllr D Ambrose Smith then proposed that the application be approved since in his opinion the parking issue was not significant. Cllr Austen seconded the motion. The Planning Manager reminded Members that, when going against an Officer's recommendation it was important to provide Planning reasons for that decision. Referring back to earlier discussion points, the proposer and seconder agreed on their reasoning (as detailed in the resolution below) and the proposal was subsequently put to the vote.

It was resolved with 7 votes in favour, 3 votes against, and 0 abstentions:

That planning application ref 21/01142/FUL be APPROVED on the grounds that there would be no significant impact on parking because there had previously been a business operating on-site without significant incident and the car parking levels had supported that business, the proposal would not add further issues with regard to highway safety, and it would enhance the local community.

It was further resolved:

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

5:15 – 5:20pm meeting adjourned for a comfort break. Cllr Huffer returned to the Chamber.

59. 21/01146/FUL – 29 ISAACSON ROAD, BURWELL, CB25 0AF

Molly Hood, Planning Officer, presented a report (W123, previously circulated) recommending refusal of an application seeking permission for the demolition of a single-storey side projection adjoining the neighbouring property's garage and comprising a single garage, utility and study, and permission for the subsequent construction of a two-storey side extension forming an integral garage, utility, playroom and master bedroom suite.

A map and aerial photographs were shown to indicate the site's location in a residential area within the development envelope of Burwell, and with the Conservation Area adjoining the western boundary of the curtilage. Proposed floor plans, and existing and proposed elevations, were also provided to illustrate the design of the proposed two-storey extension, which included a raised ridge height for the existing front projection together with three roof lights to the front roof slope and a large dormer to the rear. Photographs of the rear elevation and its relationship with the neighbouring property at No. 31 were used to demonstrate the change in land levels, with the proposed extension being higher than the neighbouring plot. A photograph of the western elevation, taken from the curtilage of No. 27, illustrated the position of proposed fenestration with respect to the neighbouring plot. Photographs of the immediate streetscene Nos. 25-31 were also shown.

The main considerations for the application were deemed to be:

- **Residential amenity** – by virtue of proposed new windows in the side elevations, and the difference in ground levels resulting in habitable rooms overlooking neighbours' rear private amenity spaces, it was considered that there would be overlooking, loss of privacy, and significant harm to the amenity of Nos. 27 and 31.
- **Visual impact** – the extension would include a front projection with an 8m ridge height together with a 1.2m increase in the ridge height of the existing front projection to provide walk-in wardrobes. These ridge heights would add a significant proportion of massing to the front of the dwelling and were considered to result in a level of built form which would be visually dominant and overpowering in the streetscene. The increased ridge heights would also be out of character with the directly adjacent properties. Although there

were a variety of properties within the wider streetscene of Isaacson Road, the application site formed a pair with No. 31 and there was a further similar pair formed by Nos. 25 and 27. The ridge heights of the front projections were a feature that enabled the retention of symmetry and it was considered that the volume of additional floor space within the roof would result in a top-heavy unbalanced appearance. As demonstrated in a previously-approved application (2016) it would be possible to achieve a well-sized loft conversion without the need for increasing the ridge height. The proposed additions would overpower the existing dwelling and remove its character; the original property would not be clearly legible due to the scale of the additions. The proposal was considered to be out of keeping with existing characteristics, resulting in a significant mass of built form which would not result in a positive or complementary relationship with adjacent properties. The proposed development was therefore considered to be contrary to policies ENV1, ENV2 and the Design Guide.

- **Highway safety**– the existing driveway to the front of the property would be maintained, thereby providing off-street parking for at least two vehicles. The proposed development was therefore considered to comply with policy COM8 of the Local Plan 2015.

In summary, the proposal was considered to be detrimental to the residential amenity of the adjacent properties and harmful to the appearance of the dwelling and the character of the streetscene. It was therefore recommended for refusal.

On the invitation of the Chairman, Kevin Watts (agent for the applicant) addressed the Committee. He drew Members' attention to the document that had previously been circulated to the Committee on his behalf, and reiterated several points from within it. In particular, the applicants had been willing to make amendments to their proposal in response to comments from Planning Officers and they had understood that reducing the pitches of the gables would enable approval. The overall size of the additions had not been mentioned as a cause for concern at that stage. There was no continuous design or house style along Isaacson Road, in particular there were many designs of front elevations and roofs. The proposed gables were considered to be in keeping with those on the property opposite. Regarding the side windows, the two ground floor windows were small and mainly faced the neighbour's wall. The first-floor windows also mainly faced the wall and were intended for providing light rather than a view. The Parish Council had not objected, there were ~350 new homes being built approximately 100m away, and the scale of the proposed dwelling was in keeping with the plot size as well as improving the current dwelling.

There were no questions for the agent, and the Case Officer had no further comments to make. Cllr Downey asked the Officer what constituted high quality design, and why this application did not meet that threshold. The Case Officer reiterated that the original dwelling would not be clearly legible following the additions, and that she had requested reduced ridge heights. Cllr Huffer questioned why the original dwelling needed to be apparent since it was of no historical significance, and asked what ridge height reduction had been required. The Case Officer explained that the Design Guide referenced maintaining a clearly legible original building, and although a specific reduction had not been specified it had been clear that the existing ridge on the front projection had been preferred.

In response to a question from Cllr Trapp she clarified that two off-street parking spaces would be policy-compliant.

The Chairman then opened the debate. Cllr C Ambrose Smith commented that, having visited Isaacson Road, she considered there to be no coherent style for the street since there were 1970s properties on one side and more mature properties on the other and there had been multiple changes of doors, windows and garages. On that basis she did not consider that the proposal would have a significant impact. Cllr Huffer agreed and questioned what harm it would do.

Cllr Trapp disagreed and stated that the harm would be caused by the overlooking and impact on the neighbours. The property would project further back, would be taller and would have more windows all of which would impinge on the neighbour. The visual whole of that side of the road would also be affected. He therefore proposed that the application should be refused.

Cllr Brown stated that consideration of the application would have benefitted from a formal site visit. There were a variety of houses along the road and, in his opinion, the overlooking would not be as significant as Cllr Trapp had suggested. He proposed that the application should be approved, against the Officer's recommendation, on the grounds that the benefits to the property would outweigh any perceived harm. Cllr Downey agreed with Cllr Brown's assessment and seconded his motion for approval.

Cllr Jones commented that the design detracted from the symmetry of the neighbouring properties, and he was concerned about the overlooking. Although he considered the various points to be finely balanced, he concluded that the application should be refused and he seconded Cllr Trapp's proposal.

The Chairman then put to the vote Cllr Trapp's motion to refuse the application in line with the Officer's recommendation.

It was resolved with 6 votes in favour, 5 votes against, and 0 abstentions:

That planning application ref 21/01146/FUL be REFUSED for the reasons detailed in paragraph 1.1 of the Officer's report

The Chairman informed the Committee that Agenda Items 10 and 11 would be taken out of order, with Agenda Item 11 being heard before Item 10, due to the length of the meeting and there being members of the public in attendance for item 11 but not for item 10.

60. 21/01288/FUL – 7 CENTRE ROAD, SOHAM, CB7 5AU

Molly Hood, Planning Officer, presented a report (W125, previously circulated) recommending refusal of an application seeking permission for the demolition of an existing outbuilding and rear conservatory, followed by construction of a two-storey extension projecting from the rear and extending to the side, with an adjoining single-storey rear extension.

Comments had been received from Soham Town Council that morning: they had no concerns with the proposal and considered that many properties had been

extended in that area, with permission from ECDC, and that consistency was needed.

Members were shown a map and aerial photographs to demonstrate the site's location to the south of Soham, within a residential area in the town's development envelope. Floorplans and elevations were provided and illustrated both the rear extension extending out to the side of the property, and the proposed new porch for the front elevation. The proposed single-storey rear extension, adjoining the proposed two-storey extension, would have a flat roof with ceiling lantern. Photographs of the existing property were provided from the neighbouring rear garden to illustrate the impact the proposal would have on their garden space. Members were also shown photographs of the immediate streetscene, including other neighbouring pairs of semi-detached houses and the detached property between Nos. 11 and 13 that had been allowed at appeal, and extended semi-detached properties along nearby Fordham Road.

The main considerations for the application were deemed to be:

- **Residential amenity** – due to its flat roof, there were no concerns regarding the proximity of the single storey extension to the adjoining neighbour (5 Centre Road). However, the two-storey extension would be 2.4m from the boundary and would project 6m from the rear elevation and this was considered to give disruption to the direct sunlight for the immediate amenity space and rear elevation of No.5. The proposal would introduce a substantial level of built form resulting in a massing that was considered to be significantly detrimental to residential amenity. There were also concerns regarding the potential for overbearing, overshadowing and oppressive impacts to the windows of No.5 that were in close proximity to No.7. The proposed development was considered to fail to comply with policy ENV2 of the Local Plan 2015.
- **Visual impact** – the proposal would be visually dominant and overpowering, as well as disrupting the symmetry of the semi-detached pair, which was one of five such pairs, and would therefore be harmful to the streetscene. The single-storey extension at No.3 was set back and to the side of the property, therefore not destroying the symmetry of the semi-detached pair. The detached dwelling sited between Nos. 11 and 13 had been allowed at appeal and, although present in the streetscene, its character was very different to that of a two-storey extension to a semi-detached dwelling. Several semi-detached properties along nearby Fordham Road had two-storey additions but were not considered to be in the immediate streetscene of the application and Fordham Road had varying degrees of additions and a variety of properties. Conversely, Centre Road remained fairly undeveloped with the symmetry of the semi-detached pairs being largely retained. The proposal would also result in an extension with a footprint larger than that of the original dwelling, suggesting a proposal driven by the desire for additional floorspace and without regard for the existing development on the site or its surroundings. The proposed development was considered to be out of character with the streetscene and harmful to the original appearance of the existing dwelling. The scale and massing of the extension were also considered to be overpowering and harmful. The proposed development was therefore considered to be contrary to the Design Guide and to policies ENV1 and ENV2 of the Local Plan 2015.

- **Highway safety** – the existing driveway to the side of the property would be retained for off-street parking and the proposal was therefore considered to comply with policy COM8 of the Local Plan 2015.

In summary, the proposal was considered to be detrimental to the residential amenity of the adjoining property and harmful to the appearance of the dwelling, its semi-detached pair, and the character of the streetscene. It was therefore recommended for refusal.

On the invitation of the Chairman, the applicant Amy Ellis addressed the Committee. She reminded Members that Cllr Bovingdon had asked the Committee to consider the application on the grounds that he felt its refusal to be inconsistent with other Downfields developments. The Design Guide advised that symmetry should be retained where possible, but other similar developments had been carried out within Downfields and most residents of Centre Road would not have the means to develop their properties. She challenged the suggestion that a two-storey addition would be out of character for the street by questioning what would be considered to be the street's character since it was not uniform. There were properties of different colours, differing colours and styles of windows and doors, four completely different style properties almost opposite the proposed site, and further south along the road was a mix of different style dwellings. She highlighted the detached two-storey house between Nos 11 and 13 that did not blend in with the pattern of development or the character due to its siting and gable ends, it also disrupted the symmetry of the streetscene. The applicants' plot was large and widened significantly to the rear of the existing building, the proposed design and position of the extension were such that a significant gap would be maintained between Nos 7 and 9 and the existing building would remain dominant. No complaints had been received from the immediate neighbours and the 45° rule had been followed with respect to the attached dwelling. No.3 had a large single-storey pitched roof extension which had a greater effect on the light for its adjoining neighbour than this proposal would have on No. 5. They had also been careful with the design to be in keeping with the existing corners and rooflines and to preserve the off-road parking. The proposal would also remove access to the land at the rear of the property which would consequently prevent any future "back yard" proposals. In summary, the applicants considered that their proposal would improve rather than harm the aesthetic appeal of Centre Road, would be consistent with the ad-hoc character of the streetscene and other nearby permitted works, and would be appropriate for the host dwelling and plot.

Cllr Jones commented that he agreed with the applicant regarding the acceptability of the shape and design of the proposal, but was concerned about overshadowing to the adjoining property and he asked for evidence that it would not be significant. Ms Ellis explained that her information had been provided by her agent but her understanding was that, due to the different angles of the two plots and the positioning of the sun, the pitched roof of No.3's single-storey extension had a greater effect on the light amenity of No.1 than their two-storey extension would have on No.5.

6:01pm Cllr Trapp offered his apologies for the remainder of the meeting and left the Chamber.

The Chairman invited questions for the Case Officer, having established that she had no further comments to make. In response to questions from Cllrs Wilson and Jones, the Officer explained that the application site lay to the south of the adjoining property and would therefore obscure the direct natural light to No.5 as the sun moved round; no shadow survey had been undertaken but the two-storey extension extended 6m from the rear elevation and would therefore have an impact. She confirmed to Cllr Huffer that no objection had been received from No.5.

The Chairman then opened the debate. Cllr C Ambrose Smith offered the opinion that there were a range of building styles along Centre Road as well as considerable ongoing building work. On this basis she questioned whether the applicants' proposal to smarten a tired house would make a significant difference overall. Cllr Huffer also questioned the harm that would be done and highlighted the lack of objections from either neighbours or the Town Council, together with the requests from both Ward Councillor Bovingdon and the Town Council that there should be consistency regarding planning decisions in the immediate area. There were a mix of properties, including infills and new houses, and therefore she did not consider the proposal to result in a loss of visual amenity. Cllrs Downey, Jones, Austen and D Ambrose Smith all agreed with the previous speakers. Cllr Hunt expressed his support for the Officer's recommendation for refusal.

It was resolved with 8 votes in favour, 1 vote against, and 1 abstention:

That planning application ref 21/01288/FUL be APPROVED on the grounds that the proposal would not cause significant harm, there were a mixture of property styles in the vicinity so it would be in keeping with the area, and there would be no loss of visual amenity.

It was further resolved:

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

61. 21/01280/ADI – MULTIPLE SITES ACROSS ELY, CAMBS

Cllr Austen declared an interest in this item as a City of Ely Councillor since she was aware that City of Ely Council would be involved with the implementation of the signage if the application was approved, she remained open-minded. Upon being asked by the Legal Services Manager, Cllr Downey declared the same interest and also stated that he had an open mind.

Holly Chapman, Planning Officer, presented a report (W124, previously circulated) recommending approval of an application seeking permission for the installation of twelve digital advertisements with interactive touchscreens, in multiple locations throughout Ely. The application had been brought to the Committee for decision, in line with the Council's Constitution, because it was an application from ECDC.

Twelve sites were included in the application for the installation of digital advertisements with interactive touchscreens. There had originally been four further locations but these had been removed due to the heritage sensitivity of the proposed sites. Members were shown diagrams of the three sign styles: double-

sided totem (2.35m tall), single-sided totem (2.35m tall), and wall-mounted screen. The signs were intended for wayfinding and tourism, and illustrative software/screen information was shown as an example of what might be included on the screens. Due to their wayfinding purpose they would be illuminated 24h per day. With the exception of the sign proposed for The Hive Leisure Centre, all proposed signage lay within the Conservation Area; the signs near the river would also be within flood zones 2 and 3. Although the proposed locations at Waterside, Pegasus Walk, Country Park, Ship Lane Car Park, and Forehill lay within the water treatment safeguarding area, the Minerals and Waste Planning Authority were not required to be consulted for application concerning advertisements.

Members were then shown plans, aerial images and site photographs for each proposed location. Where existing tourism signage was present at any of the locations there was a requirement within the proposed conditions that it be removed after installation of the digital signage.

Since the application concerned advertising, there were only limited considerations:

- **Principle of development** – advertisements are controlled with reference to their effects on amenity (both visual and aural) and public safety (including crime prevention) only. The proposed structures and subterranean works were considered to comply with the definition of an advertisement in S366(1) of the Town and Country Planning Act 1990 (as amended) and could therefore be considered under an application for advertisement consent.
- **Visual and aural amenity** – each location had been considered individually on its heritage and townscape sensitivity. Any potential harm to the setting or significance of the Conservation Area or nearby heritage assets was balanced against potential social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network. Residential amenity impacts were also considered for each location. All twelve of the remaining proposed locations were considered to comply with the relevant policies of the Local Plan 2015, the Design Guide, and the NPPF, subject to the conditions set out in Appendix 1 of the report.
- **Public safety** – none of the proposals would obstruct CCTV cameras or cause glare upon them. The Access Group had not raised any objections. The Local Highways Authority had raised no objections, subject to a condition restricting the luminance of the adverts to no more than 600cd/m² during night-time hours. An appropriate condition had therefore been proposed which accounted for GMT/BST variations and had erred on the side of caution in its definition of night-time (16:00-08:00 1st October – 31st March, 18:30-07:00 1st April – 30th September) in order to protect residential and visual amenity.
- **Other matters** – the advertisements would be time-limited to 10 years. This was in excess of the usual 5-year standard, but significantly shorter than the 30 years requested, and was considered to be appropriate given the number of locations. Construction impacts, power sources, cost, maintenance, hygiene and obsolescence were not material planning considerations.

In summary, some of the proposed twelve illuminated advertisements were considered to result in less than substantial harm to the character and appearance of the area, the setting and significance of the Conservation Area and nearby heritage assets. All were considered to provide a social and economic public

benefit by virtue of providing a network for wayfinding and tourist information. The harm had been balanced against the public benefits in accordance with Paragraph 202 of the NPPF, and the proposals were considered to comply with policies ENV1, ENV2, ENV3, ENV11 and ENV12 of the Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF subject to appropriate conditions. The application was therefore recommended for approval.

At the invitation of the Chairman, the Democratic Services Officer read aloud a statement supplied by Cllr Every, Ward Member for Ely East.

“Tourism and local visitors to Ely are vital to maintaining and increasing economic growth within our City. We have been more fortunate than some other cities and towns as we have continued to attract visitors post pandemic. Signage, or the lack of it, has been a discussion which has been going on for many years. Signage particularly from the station into the town and along Waterside has been poor. In addition, the City has been unable to use local media communications, eg apps, without the necessary wi-fi which we now have to maximise publication of our heritage sites, events and local shopping areas. The successful bid to the Ely Market Town fund at the Cambridgeshire and Peterborough Combined Authority has enabled the City to work on providing appropriate and informative signage to be achieved. Much collaborative work with stakeholders has been done to identify the best sites in keeping with our conservation area. I would like to thank the Officers in Economic Development and Planning (particularly the Conservation Officer) for helping bring about a plan which will enhance information for visitors and encourage them to stay longer and visit all our heritage sites and open spaces, and shop in our markets, hostelrys and local independent shops.

I am supporting this application.”

In response to several questions from Cllr D Ambrose Smith, the Case Officer explained that the content of the advertisements would be the responsibility of the economic team and was not a consideration for the determination of the application. Regarding the maintenance of the advertisements, she highlighted the conditions relating to their upkeep. Cllr Austen added that she understood City of Ely Council to be willing to undertake the maintenance and Oliver Cromwell's House the updating.

Cllr Austen commented that disabled individuals would not be able to see the content of the boards and the Officer reminded Members that the screen content was not a matter for consideration by this Committee. The Planning Manager informed Members that the Access Group had met with the relevant Officers regarding the content, and the Senior Support Officer added that there were several options being tested by the Access Group as a result of those discussions.

Cllrs D Ambrose Smith and Hunt both highlighted the omission of an advertisement at the train station. The Planning Manager explained that Planning Officers had purely advised on the acceptability of the proposal and had not been involved in assembling it. The original application had included a further four digital advertisements that had been removed due to their very sensitive locations, and a subsequent application had been submitted with additional locations, although the station was not one of them. The Conservation Officer added that discussions had been held with Greater Anglia, the current tenants of Ely station, and there was the

potential that work to install an advertisement at the station could be synchronised with work that they had planned; Network Rail were receptive to the idea.

During the debate Cllrs Wilson, Hunt, Downey, C Ambrose Smith and Stubbs all spoke in favour of the application, considering it to be a modern solution with benefits clearly outweighing any harm. Cllr D Ambrose Smith disagreed, and expressed concern regarding their visual impact and the potential for attracting graffiti.

It was resolved with 9 votes in favour, 1 vote against, and 0 abstentions:

That planning application ref 21/01280/ADI be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer's report.

62. PLANNING PERFORMANCE REPORT – OCTOBER 2021

Rebecca Saunt, Planning Manager, presented a report (W126, previously circulated) summarising the performance of the Planning Department in October 2021.

It was resolved:

That the Planning Performance Report for October 2021 be noted.

63. SITE VISITS

The Chairman reminded Members of the importance of visiting application sites in advance of the meeting. He emphasised that applicants and objectors were entitled to believe that all Committee Members would be well-informed prior to reaching their decision.

He asked Members for their views about reinstating the formal site visits, with travel by minibus between sites, that had been the norm prior to the COVID-related restrictions introduced in early 2020. For cost reasons, a commitment would be required from a minimum of five Members wishing to travel by bus, and it would not be practical for multiple cars to follow the bus between locations.

All Members were in agreement that formal site visits, including travel by minibus, should restart as soon as was practical. The Chairman reminded Members that formal site visits would usually take place on the morning of the Committee meeting, and the meeting would commence at 2pm rather than 1pm in order to accommodate this. Details would be supplied with the next Agenda to indicate whether or not formal site visits had been arranged for that meeting.

The meeting concluded at 6:50pm.

21/01092/FUL

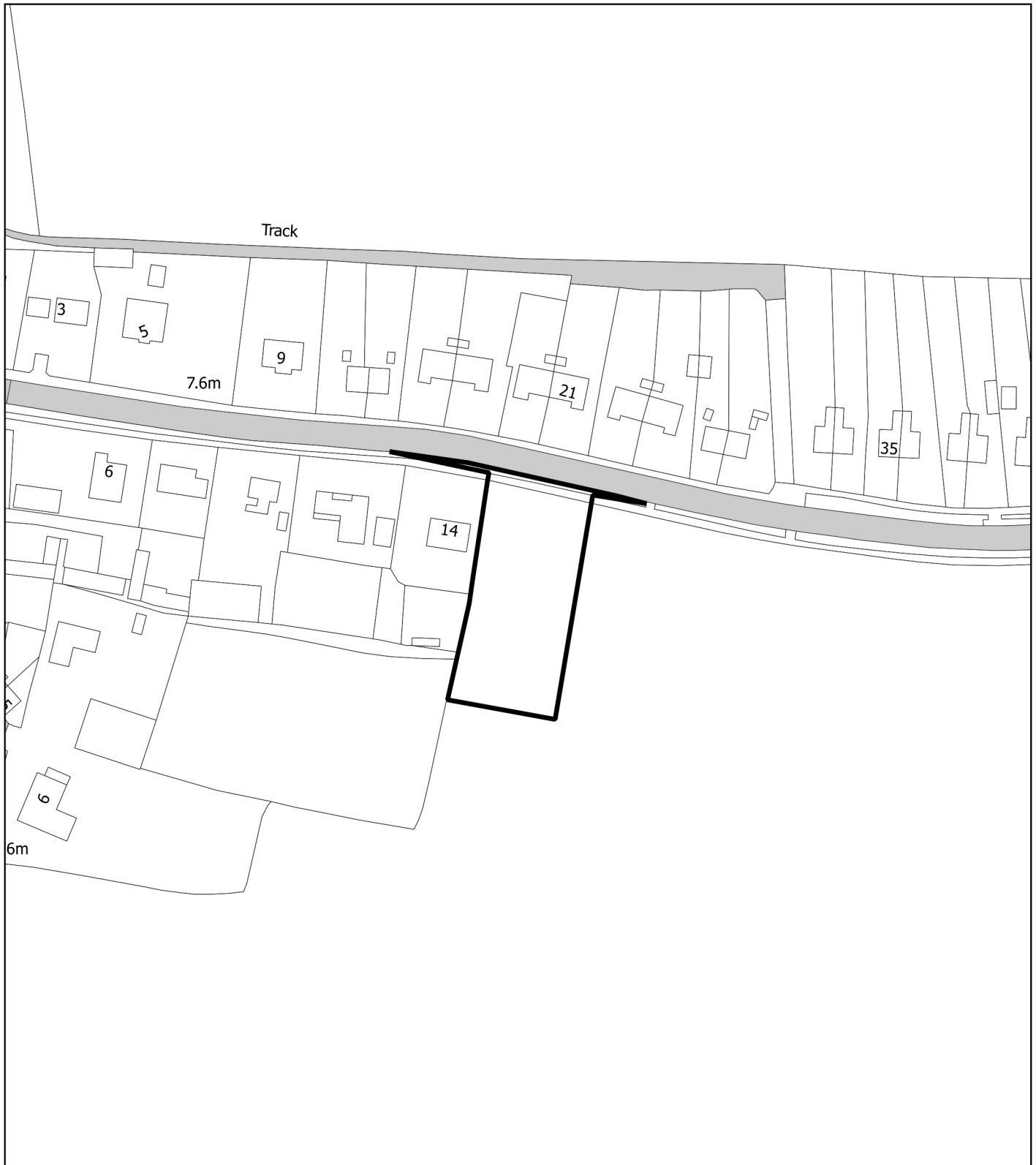
Land Adjacent To 14
Church Road
Wicken
Cambridgeshire

Construction of three dwellings, garages, access and associated works
- Plots 1-3

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QZ2JJ6GG0CT00>





21/01092/FUL

Land Adjacent To 14
Church Road
Wicken



East Cambridgeshire
District Council

Date: 14/12/2021
Scale: 1:1,500



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MAIN CASE

Reference No: 21/01092/FUL

Proposal: Construction of three dwellings, garages, access and associated works - Plots 1-3

Site Address: Land Adjacent To 14 Church Road Wicken Cambridgeshire

Applicant: C J Murfitt, Lads Construction & Grays Developments

Case Officer: Toni Hylton Senior Planning Officer

Parish: Wicken

Ward: Soham South
Ward Councillor/s: Ian Bovingdon
Dan Schumann

Date Received: 14 September 2021 **Expiry Date:** 11th January 2022

Report Number W127

1.0 **RECOMMENDATION**

- 1.1 Members are recommended to REFUSE the application for the following reasons:
1. The proposed development of 3 detached dwellings seeks to provide in depth development with plot 3 sitting behind Plots 1 and 2. This is in direct conflict with policy WIC2 of the East Cambridgeshire District Council Local Plan 2015 which seeks development to be frontage development. This application is not supported by a contextual analysis of the site; its immediate environs and the wider locality as required by the East Cambridgeshire Design Guide SPD (2012). As such, this application is unable to demonstrate in principle that the benefits of providing a dwelling within this constrained 'backland' site, located outside of the site allocation in the Local Plan would outweigh the significant potential for adverse impacts in terms of location of the development and the requirements of policies WIC2 and ENV2 of the East Cambridgeshire District Council Local Plan 2015 and the Design Guide SPD.
 2. Plot 3 is located within open countryside and outside the development envelope for Wicken and the site allocation (Policy WIC2), it is considered that the proposal is a form of creeping development and would be an encroachment into the open countryside. This part of the site is not part of the allocation and the dwelling does not meet any of the defined exceptions stated with policy

GROWTH2 of the Local Plan. Introducing a dwelling into this location results in the proposal being considered to be visually intrusive form of development at odds with the built form of the vicinity that would cause demonstrable harm to the character of the rural landscape and its setting within the surrounding countryside, contrary to the requirements of Policy GROWTH 2, which restricts development outside of the defined development envelopes and policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

3. The design of the proposed 3 dwellings in this edge of settlement location fails to consider the mass, scale and character of the area. Church Road is characterised by a mix of simple designs with parking provision to the side with space around the dwellings. The proposed dwellings introduce new characteristics which are not in keeping with the simple character of the immediate surroundings of the site. The proposal leads to a continual line of development with dwellings out of keeping with the mass and scale of the immediate vernacular. On this basis the proposal is considered to be contrary to policies WIC2, ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015 and the Design Guide SPD.

2.0 SUMMARY OF APPLICATION

- 2.1 The application proposes the erection of 3 detached dwellings along Church Road, Wicken, with an adjoining application for a further 3 dwellings application reference 21/01228/FUL. The table below provides the dimensions of the dwellings proposed for plots 1,2 and 3.

Plot	Height	Width	Depth	Floor area	Plot size
1	6.6m (21.6)	8.3m (27.2)	9.8m (35.1)	90.91 (978.4)	364 (3918)
2	7.7m (25.6)	9.1m (29.8)	7.2m (23.6)	101.12 (1087.15)	336 (3616.6)
3	4.8m (15.7)	12.8m (42)	17.3m (56.7)	138.83 (1485.4)	896 (9644.4)
			Total	330.05 (3552.6)	

Please note the figures in () are measured in feet and inches

- 2.2 Each plot has 2 car parking spaces with 1 access serving all 3 dwellings from Church Road. The access is approximately 3.7m (12.1ft) wide. To the rear of the site is a 5m (16.4ft) wide planting belt with native species hedges to the boundaries.
- 2.3 The officer advised of the following concerns and requested amendments to the scheme which are listed below:
 - Site plot 1 a minimum of 10 metres (32.8ft) from no. 14 Church Road
 - Plot 3 is in a backland location
 - Potential for overlooking
- 2.4 In December amended plans were received which addressed the potential for overlooking between plots 2 and 3. A supporting statement was provided as to why the other issues raised were not addressed. In brief:

- The proposed dwelling (plot 1) is lower in height than previously approved and sited forward into the site and therefore does not directly block the neighbours window;
- Given the approval of a dwelling to the rear of 14 Church Lane there is a precedent for backland development.

2.5 Cllr Ian Bovingdon called the application into planning committee on 3rd November 2021. Cllr Bovingdon had been contacted by the applicant and was aware of the Parish Council comments and considered that the application should be discussed by members of the planning committee to be fair to both the Parish Council and the applicant.

2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

3.1

21/01226/FUL	Construction of three dwellings, garages, access and associated works - Plots 4-6	To be determined	
21/00273/FUL	Residential development comprising three dwellings, garaging, parking, turning and associated site works - phased development	Withdrawn	06.05.2021
20/01393/RMA	Reserved matters of Access, Appearance, Landscaping, Layout & Scale of planning application 17/01945/OUT for residential development for 6no. new dwellings	Approved	04.02.2021
17/01945/OUT	Residential development for 6no. new dwellings	Approved	29.01.2019

Adjacent Site Planning History

19/00610/FUL	Construction of a bungalow	Approved	19.06.2019
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site comprises part of a larger agricultural field on the eastern edge of Wicken. There are residential dwellings located adjacent to the west of the site and on the opposite side of Church Road to the north of the site. The site has a public footway

and highway verge with a tree to the front. Part of the site is within the development envelope for Wicken, however the rear part of the site is outside the development envelope. The site at the front is allocated by Policy WIC2 of the adopted East Cambridgeshire Local Plan 2015 for up to 5 dwellings. The land to the rear is in the open countryside.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Ward Councillors – Cllr Ian Bovingdon called the application into planning committee on 3rd November 2021. Cllr Bovingdon had been contacted by the applicant and was aware of the Parish Council comments and considered that the application should be discussed by members of the planning committee to be fair to both the Parish Council and the applicant.

Wicken Parish – 20 December 2021

Reiterate comments made below on 14th October 2021.

Wicken Parish - 14 October 2021

States "Wicken Parish Council strongly objects to this development.

This parcel of land was added to the Local Plan 2015 with the following statement:

Policy WIC 2: Housing allocation, land south of Church Road Approximately 0.2 hectares of land is allocated for residential development on land to the south of Church Road for up to 5 dwellings. Development proposals will be expected to:

- o Be frontage development only, to reflect the existing character along Church Road.
- o Provide an element of affordable housing (currently 30%) as required under Policy HOU 3, with priority given to people in local housing need.
- o Provide a mix of dwelling types and sizes to reflect current evidence of need within Wicken.
- o Have particular regard to the layout, scale, height, design and massing of buildings, and landscaping, in order to minimise impact on the open countryside.
- o Provide appropriate evidence of the archaeological potential and significance of the site prior to the submission of a planning application; and
- o Comply with the other policies of the Local Plan.

This application does not comply with two areas of this statement.

- o Be frontage development only, to reflect the existing character along Church Road.

The bungalow on plot number 3 is situated behind the house on plot 2 and it therefore not frontage development. This gives the appearance of a cul-de-sac.

- o Provide an element of affordable housing (currently 30%) as required under Policy HOU 3, with priority given to people in local housing need.
- o The application does not provide an element of affordable housing and will not be affordable to residents of Wicken on the local average wage.
- o The application adversely affects the neighbouring property at number 14 Church Road causing loss of light. Please note that the new build bungalow at the rear on number 14 was granted permission during the period of speculative development when there was not a local plan in force.

Wicken Parish Council supports the planning application already approved for this site under reference 20/01393 and do not wish to see any deviation from this. Should the application be passed the Parish Council would like a condition applied that all work should be completed at the same time rather than individually as this will cause too much disruption to neighbouring properties and uses of the A1123."

Environmental Health - 5 October 2021

States "Due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 - 18:00 each day Monday - Friday
07:30 - 13:00 on Saturdays and
None on Sundays or Bank Holidays

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

No other comments to make at this time but please send out the environmental notes."

Environmental Health - 24 September 2021

States "I have read the Envirosearch report dated 3 March 2021 and accept the findings. The site is at very low risk of land contamination and no further work is required. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission."

Local Highways Authority - 4 October 2021

States "I do not object to this application. The vehicular cross-over access and internal layout and turning is appropriate for a development of this nature and scale. The internal road will not be considered for adoption by the LHA as it serves insufficient public utility.

Please append the following conditions and informative to any permission granted:
Conditions

HW8A: No gates, fences or walls shall be erected across the approved vehicular access, as shown on 20: 153 - 11.

HW16A: Parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 20: 153 - 11 and thereafter retained for that specific use.

Non-Standard Condition: Vehicular access shall be constructed to include the provision of a metalled/sealed surface for a minimum length of 5m from the existing carriageway edge.”

Waste Strategy (ECDC) - 24 September 2021

No objection subject to the payment towards the provision of bins

Cambridgeshire Archaeology - 11 October 2021

States “An archaeological evaluation of the proposed development area has previously been carried out against the condition included on prior permission ref 17/01945/OUT for development in this location. The results of the evaluation demonstrated that all six trenches contained archaeological features, consisting of ditches, gullies and pits dated to the Late Saxon to early medieval period (c. AD 1050-1350). The pottery assemblage is suggestive of domestic activity on or immediately adjacent to the site. Settlement-type activity is also strongly suggested by the recovery of charred cereals, chaff and lava quern, which may attest to on-site processing of cereals. The recovery of animal and fish bones (including eel) along with marine mollusc shell suggests the disposal of midden material. The remains are significant in terms of understanding the origins and development of the village. The most northern of the series of linear features appears to run parallel to the modern road, likely medieval in origin, linking the isolated church to the east with the historic core of the village to the west (Oxford Archaeology East report number 2336, ECB5898). In view of this evidence we recommend that further archaeological work is required in advance of construction, in mitigation of the impacts of the proposed development on the sensitive archaeological remains known to be present.

We therefore do not object to development from proceeding in this location but consider that the site should be subject to a further programme of archaeological investigation (excavation), secured through the inclusion of a negative condition.

ECDC Trees Team - No Comments Received

Enforcement Section - No Comments Received

Infrastructure & Strategic Housing Manager - ECDC - No Comments Received

CCC Growth & Development - No Comments Received

5.2 A site notice was displayed near the site on 15 October 2021.

5.3 Neighbours – 12 neighbouring properties were notified, 3 responses were received and are summarised below. A full copy of the responses are available on the Council’s website.

- Impact on the neighbours amenities with dwellings along their boundary
- Loss of view
- Disturbance during construction
- Increase in traffic

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV14	Sites of archaeological interest
COM7	Transport impact
COM8	Parking provision
WIC 2	Housing allocation, land south of Church Road

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

Natural Environment SPD

Climate Change SPD

6.3 National Planning Policy Framework 2021

2 Achieving sustainable development

5 Delivering a sufficient supply of homes

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

16 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 Background

7.1.1 In 2015 the Local Planning Authority adopted the East Cambridgeshire District Council Local Plan 2015, this site to the front was allocated as part of WIC2 for residential development, for 5 dwellings, the rear of the site is in the open countryside. In 2019 an outline application (17/01975/OUT) was approved for the provision of 6 dwellings. A reserved matters application (20/01393/RMA) was approved in February 2021. The approved scheme included a pair of semi-

detached chalet style 2 bedroom dwellings, 2 detached 3 bed dwellings and 2 detached 4 bed dwellings. The scheme was frontage development creating 4 vehicular accesses. The scheme did not include detached garages or car ports. This scheme is an extant permission and expires in February 2023.

7.1.2 The table below demonstrates the dimensions of the approved scheme.

Plot	Height	Width	Depth	Floor Area
1	7.3m	Total 13.8m	8.9m	122.8
2	(23.9)	(45.2)	(29.1)	(1313.2)
3	9.1m	6.8m	11.4m	77.5
4	(29.8)	(22.3)	(37.4)	(1668.4)
5	9m	10.5m	9.4m	98.7
6	(29.5)	(34.4)	(30.8)	(2120.4)
TOTAL				474.5 (5102.09)

Please note the figures in () are measured in feet and inches

7.2 Principle of Development

7.2.1 The Local Planning Authority has accepted this site for residential development as per policy WIC2 and previous approvals for residential development 17/01945/OUT and 20/01393/RMA. However, all of the built form of the development was concentrated within the development envelope and the part of the site which was allocated. This proposal introduces a dwelling to the rear which is not only 'backland' development but development outside of the development envelope and the site allocation. The Local Planning Authority has a 5 year housing land supply of approximately 7 years and therefore does not need to consider the tilted balance in the NPPF. Any development outside of the development envelope is in the open countryside and as such contrary to policy GROWTH 2 of the East Cambridgeshire District Council Local Plan 2015 which establishes where residential development should take place.

7.2.2 The site to the front is allocated within the East Cambridgeshire Local Plan under policy WIC2 which allocates the site for development for up to 5 dwellings. The land to the rear is outside of the development. In 2019 an application was approved in outline for 6 dwellings, with a subsequent reserved matters approved in 2021. On this basis the principle of development in this location, in accordance with the extant permission (in terms of the siting of development) has been considered acceptable.

7.3 Residential Amenity

7.3.1 To the west of the site is 14 Church Lane and a dwelling is currently nearing completion to the rear of 14 Church Lane. Both dwellings are single storey and have windows on the east facing elevation overlooking plots 1 and 3. The boundary treatment to these dwellings is currently a mix of planting and wire mesh fencing, allowing uninterrupted views over the adjoining land. Number 14 has a window on its east elevation to a habitable room and the bungalow to the rear has windows to the living area and bedroom with a covered terrace. The land to the rear is also the private garden space for the dwelling nearing completion.

- 7.3.2 The proposed Plot 1 sits approximately 7.5 metres (24.6ft) from the east facing elevation of number 14 Church Road, which has a window to a habitable room. It is known that this window serves a habitable room, however it is not known if this is a primary or secondary window. Due to COVID rules it was considered that entering the property to determine was not acceptable. It is considered however, the introduction of a dwelling approximately 7.5 metres (24.6ft) from this window at a height of 6.6 metres (21.6ft) with a full gable end could prove detrimental to the neighbours amenities by way of access to light making the proposal overbearing on this habitable room. Following concerns raised during the course of the application, the agent has stepped the dwellings forward, closer to the road in order to try and address the impact on the adjoining neighbour. It is considered that there is still an impact on the neighbours amenities in terms of overbearing. However, it is whether this impact is considered significant enough to warrant the refusal of this application. It is accepted that the view/outlook from this window will change and in the early hours there may be a loss of light, however this is not something that will be for the whole day and as such this is not considered to cause demonstrable harm. On balance, there is harm but not demonstrable harm and whilst the case officer would prefer to see a greater set back from the boundary as required by the previous scheme to ensure the amenities of the neighbours are maintained, it is considered that the proposal will not cause demonstrable harm and as such is considered to be acceptable in terms of residential amenity.
- 7.3.3 The Design Guide SPD on page 22 states that there should be a minimum of 20 metres (65.6ft) between rear inter-visible windows. The distance between the rear elevation and the side elevation of Plot 3 is approximately 15.5 metres (50.8ft) A window to a shower room is proposed, which can be conditioned to be obscurely glazed to reduce any impact. Additional windows would not require consent, which could lead to overlooking between the dwellings and if the proposal were to be approved additional conditions could be added to remove permitted development rights. It is considered that there could be a perception of overlooking and that the proposal would affect the outlook of the dwelling currently under construction, however, the introduction of boundary treatment and restricting accommodation within the roof space and additional windows would address this issue. As such the proposal, subject to the above mentioned conditions meets the requirements of policy ENV2 of the East Cambridgeshire District Council Local Plan 2015.
- 7.3.4 The outlook of those dwellings located opposite the site will change if permission was granted. However, whilst those properties will have their view changed, it is not considered that the proposed dwellings will have an adverse impact in terms of overlooking or being overbearing on those existing properties.
- 7.3.5 In terms of the amenities of the future occupiers of the proposed dwellings it is considered that the proposed dwellings meet the requirements of policy ENV2 and the Design Guide SPD. The proposal achieves 3 plots all in excess of 300 square metres (3229 sqft) with gardens in excess of 50 square metres (538 sqft). The dwellings have been amended to ensure there is no overlooking by removing balconies and the adjoining scheme application 21/01226/FUL ensures the same. It is recommended that a condition is attached restricting windows on the east and west elevations to ensure all future occupiers amenities are maintained.

7.3.6 A neighbour has also raised concerns that the proposal would impact upon their view and the disturbance during construction. Under planning regulations no one has a right to a view and as such is not a reason for refusal. With regard to disturbance during construction this is a temporary issue that can be managed through a condition restricting working hours and a Construction Environmental Management Plan (CEMP) as requested by the Environmental Health Officer.

7.4 Visual Amenity

7.4.1 The character of Church Road is characterised by predominantly single storey dwellings to the west and 2 storey semi-detached dwellings to the north. The dwellings opposite the site are semi-detached and are a mix of render and brick. The development along Church Road is predominantly linear. There is an anomaly with the development of a single storey dwelling to the rear of 14 Church Lane, however the remaining development is linear, all having road frontage following the line of the road.

7.4.2 The proposed plots 1 and 2 sit further forward than the adjoining dwelling, 14 Church Road, however are in similar line to the property at number 12 Church Road. Plot 3 sits to the rear of the plots to the front and is out of keeping with the predominant rhythm of the street scene. The dwelling will have no street frontage and is tantamount to 'backland development' and is also situated outside the development envelope and the site allocation boundary. Page 25 of the Design Guide SPD states that "backland development will only be acceptable if supported by a contextual analysis of the locality". It is considered that 1 dwelling almost reaching completion is not a detailed contextual analysis or justification to allow plot 3 and as such the overriding character of Church Road, is linear development. On this basis the proposal is contrary to policies ENV1 and WIC2 of the East Cambridgeshire District Council Local Plan 2015 and the Design Guide SPD.

7.4.3 Policy WIC2, which allocates this site for development, states that any proposals should be in a linear form. Since the adoption of the policy, the criterion has had to adapt, it has been agreed that the site can accommodate 6 dwellings, rather than 5, in accordance with the extant permissions on the site. The NPPF has also been amended and states at paragraph 64 that the 'provision of affordable housing should not be sought for residential developments that are not major developments', therefore affordable housing cannot be sought as part of this development as it is not a major development. However, the remaining criterion should still be met which is:

- *Be frontage development only, to reflect the existing character along Church Road.*

By virtue of providing a dwelling to the rear of plots 1 and 2 the proposal fails to meet this criterion of the policy.

- *Provide an element of affordable housing (currently 30%) as required under Policy HOU 3, with priority given to people in local housing need.*

This is no longer required as set out above.

- *Provide a mix of dwelling types and sizes to reflect current evidence of need within Wicken.*

The proposal provides 2, 3 and 4 bedroomed dwellings cumulatively with the adjoining scheme application 21/01226/FUL. This proposal however, provides 1 no. 2 bed dwelling and 2 no. 3 bed dwellings. As a standalone development the mix can be considered acceptable; however with the adjoining scheme it provides a development which provides a higher proportion of large 4 bed dwellings which is not what the Parish Council consider are needed for the village. No evidence has been provided by the applicant which supports the mix of dwellings proposed and what is needed in the village.

- *Have particular regard to the layout, scale, height, design and massing of buildings, and landscaping, in order to minimise impact on the open countryside.*

By providing in depth development in this location fails on 2 counts;

1. Being outside the development envelope.
2. Fails to consider the linear nature of development along Church Road.

By providing a dwelling outside of the development envelope and the site allocation this is an incursion into the open countryside. The in depth development is considered to be out of keeping with the linear development along Church Road, tantamount to backland development. The Design Guide SPD requires that when proposing a backland development a contextual analysis of the area is undertaken. The justification for a dwelling in this backland location has been the development of the single storey dwelling to the rear of number 14 Church Road. This dwelling is an anomaly in the streetscene and should not be used to support another development. The proposed siting of a dwelling to the rear also introduces a dwelling located outside the development envelope and the site allocation, which is at odds with the previous permission on this site.

The proposal introduces 3 dwellings, closer to the road and whilst in terms of height they are lower than those approved as part of the extant permission on site, they are larger in footprint and due to their massing and siting they cover the width of the site. The dwellings opposite have space around them and to introduce almost a continual line of development will be out of keeping with this edge of settlement location, to the detriment of the visual character of the area. In reducing the space around the dwellings it is considered to be out of keeping with the rural setting and character of Church Road.

The external appearance of the dwellings uses influences from other dwellings found within the East Cambridgeshire district and they are not distinct to this location. However, the National Design Guide, asks us to look at the immediate surroundings and vernacular. These dwellings, whilst they may suit other locations in the district they are not suitable in this location, as they do not relate to the immediate surroundings. It is accepted that the indicated materials may be acceptable, the design is not. The dwellings appear overly large with protruding gable ends and are elongated in depth. This is not a feature in the immediate surroundings. Dwellings along Church Road are predominantly semi detached with 2 storey dwellings also having single storey elements, which assists in reducing the mass and scale of the dwelling. The proposed dwellings introduce internal space which is for circulation only, to appear 'grand' these

dwelling should be simple and reflect the rural nature of the area and the extant permission on this site. The proposal fails to consider the local character; space around dwellings; landscaping and to reflect the needs of the locality.

- *Provide appropriate evidence of the archaeological potential and significance of the site prior to the submission of a planning application;*
This is currently being addressed.

- *Comply with the other policies of the Local Plan.*

The proposal will affect the amenities of the adjoining neighbour, however, this is not considered significant enough to warrant refusal of the application on this basis and as such meets the residential amenity element of policy ENV2.

However, the impact on the visual character of the area is considered to be adversely affected in direct conflict with policy ENV1 and ENV2 of the Local Plan.

It is considered that the proposed development fails to meet the criterion of WIC2 by way of proposing in depth development (that is located outside of the site allocation), which is a clear requirement of the policy. It also fails to meet policy GROWTH2 which requires all residential development to take place within defined development envelopes, unless it is one of the exceptions listed. By introducing a single storey dwelling to the rear, outside of the development envelope and outside of the site allocation this proposal is contrary to policy GROWTH 2 of the East Cambridgeshire District Council Local Plan 2015. Other policies do also apply and are discussed further within the report.

- 7.4.4 The application does not provide details of the materials; however, it is indicated to be a mix of brick, cladding and render. The immediate dwellings are also a mix of brick and render with the dwelling to the rear of number 14 Church Road nearing completion being clad. The materials proposed are considered to feature in the street scene and if permission was granted a condition could be appended to seek exact details, to make sure there would be no adverse impacts.

- 7.4.5 The recently published National Design Code and NPPF requires development to consider the local surroundings and to raise the standards of design. The proposed development is not considered to raise the standards of design. To raise standards, the proposal would have to use high quality materials and be of a unique design, which relates to the location and it is not considered that this proposal raises the standard of design, a key requirement of the NPPF and National Design Guide. There are similar houses in the district, but not in Wicken and the mix of influences from different design eras is not acceptable when there is a clear defined character in this part of Church Road. The character of this part of Wicken is smaller simple style dwellings, with parking to the side of the dwellings with front and rear gardens. This proposal does not replicate this characteristic. Each dwelling has its own access, however the front garden is small predominantly covered with hard standing for parking and turning of vehicles. The scheme does not provide any detailed landscaping details, however there will be limited landscaping to the front due to the hardstanding and layout of the development. Landscaping will be concentrated to the rear, which will have limited positive impact on the visual amenity of Church Road.

7.4.6 The scheme approved in February 2021 under application reference 20/01393/RMA was considered acceptable, by providing a mix of materials and modern style dwellings using recent developments as a starting point. The scheme was also simple and leant itself to the edge of settlement location in a rural village. The mass and scale of the dwellings was more akin to an edge of settlement location. In comparison, the previous scheme is more in keeping with the character of the area and is an extant permission that can be implemented. This scheme fails to consider its location to the detriment of the visual amenity of the area. Whilst the heights of the dwellings are lower than what was approved, the mass being introduced and elongated depth of the dwellings increases the overall scale of the development and as such fails to reflect the character of the immediate surroundings.

7.4.7 The proposed development does not have space around the dwellings and uses a modern design more akin to an urban setting. It is considered that the proposal does not reflect the character of Church Road. The revised designs fail to consider the simple understated architecture of the locality and its edge of settlement location. It is considered that the design of the proposal fails to meet the objectives of policies WIC2, ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015 and Design Guide SPD. The proposal also locates a dwelling (Plot 3) outside of the development envelope and outside of the site allocation, contrary to policy GROWTH 2.

7.5 Historic Environment

7.5.1 The site is not within the Conservation Area, and is approximately 300 metres (984ft) from the Grade II Listed St Lawrence Church. The site has been subject to a Written Scheme of Investigation (WSI) and the Historic Environment Team (HET) are awaiting the results. In consultation with the HET a pre-commencement condition is required, as these results are unknown and the WSI is being completed under a different permission. To ensure all of the work is completed to the satisfaction of the HET it would require a pre-commencement condition being applied, as set out in their consultation response. This may change should the results be received prior to the planning committee meeting and Members will be updated accordingly. The proposal is considered to be acceptable and comply with policy ENV14 of the East Cambridgeshire District Council Local Plan 2015 subject to a condition being applied if the proposal was approved.

7.6 Highways

7.6.1 Access for the 3 dwellings is via a new access from Church Road. Each plot is provided with 2 parking spaces and space in which to manoeuvre. No details of cycle parking have been provided, however this can be achieved by way of condition. No vehicles will need to reverse out onto the highway. In consultation with the Local Highway Authority no objections to the proposal have been raised subject to conditions restricting gates, walls and fences; that there shall be 5 metres (16ft) of tarmacked access from the back of the highway and there shall be a defined area for parking vehicles. As such in applying these conditions the proposal is considered to comply with policies COM7 and COM8 of the East Cambridgeshire District Council Local Plan 2015.

7.6.2 A neighbour has raised concerns with regard to the increase in traffic. Church Road is a classified road known as the A1123. It is considered that whilst there will be an increase in traffic it has already been established that this road can accommodate additional traffic from the proposed development, as there is an extant permission of the site. It is considered that the proposal complies with policy COM7 of the East Cambridgeshire District Council Local Plan 2015.

7.7 Ecology

7.7.1 The site was part of an arable farm; however, it would appear not to have been farmed recently. There is limited planting and no ponds within the site. The East Cambridgeshire District Council Local Plan 2015 and the Natural Environment SPD requires developments to provide a net gain in biodiversity. In order to achieve this additional planting and other measures not limited to bird and bat boxes will need to be provided as part of a scheme by way of condition. It is considered that the scheme can achieve a net gain in biodiversity in compliance with policy ENV7 of the East Cambridgeshire District Council Local Plan 2015 and Natural Environment SPD.

7.8 Flood Risk and Drainage

7.8.1 The site is within flood zone 1 which is a location where you would expect vulnerable developments, such as housing to be located. The previous outline consent has a condition attached, which requires the submission of details with regard to foul and surface water (condition 6). In the event of planning permission being approved a condition for details of the foul and surface water arrangements would be required. The application is considered acceptable and complies with policy ENV8 of the East Cambridgeshire District Council Local Plan 2015 and the Flood and Water SPD.

7.9 Climate Change

7.9.1 In 2020 the Council adopted the Climate Change SPD and declared a Climate Emergency. The recently adopted Climate Change Supplementary Planning Document predominantly focusses on providing additional guidance to the implementation of Local Plan Policy ENV 4 – Energy and water efficiency and renewable energy in construction. Policy ENV 4 states all proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable.

7.9.2 The plan 20:153-12 revision A states that a fabric first approach will be taken to sustainability and the applicant is committed to delivering robust projects that exceed the minimum requirements of building regulations. It is considered that the scheme has satisfied the requirements of the SPD. However, this application is for 3 dwellings and is being considered in conjunction with the adjacent scheme for 3 dwellings, application 21/01226/FUL, all within the same ownership. On this basis cumulatively, it is considered that a condition requiring an Energy and Sustainability Statement would be required and this can be appended by way of condition, in order to meet the requirements of policy and the Council's SPD. The proposal is considered to comply with policy ENV4 of the East Cambridgeshire District Council

Local Plan 2015 and the Climate Change SPD, subject to the imposition of planning conditions.

7.10 Conclusion

- 7.10.1 As submitted the proposal is considered to be contrary to policies WIC2, ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015. The proposal seeks in depth development in direct conflict with local plan policy, creating a backland form of development which is not in keeping with the rhythm of the existing streetscene. The dwelling to the rear intrudes beyond the development envelope and the site allocation and as the Local Planning Authority can demonstrate a 5YHLS the need to apply the NPPF tilted balance therefore does not apply and as such a new dwelling in the countryside, which does not meet any of the exceptions stated in policy, would be contrary to policy GROWTH 2. The design of the development as a whole fails to consider its rural location. On this basis the proposal is recommended for refusal.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/01092/FUL	Toni Hylton Room No. 011 The Grange	Toni Hylton Senior Planning Officer 01353 665555
21/01226/FUL	Ely	toni.hylton@eastcambs.gov.uk
21/00273/FUL		
20/01393/RMA		
17/01945/OUT		

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

21/01226/FUL

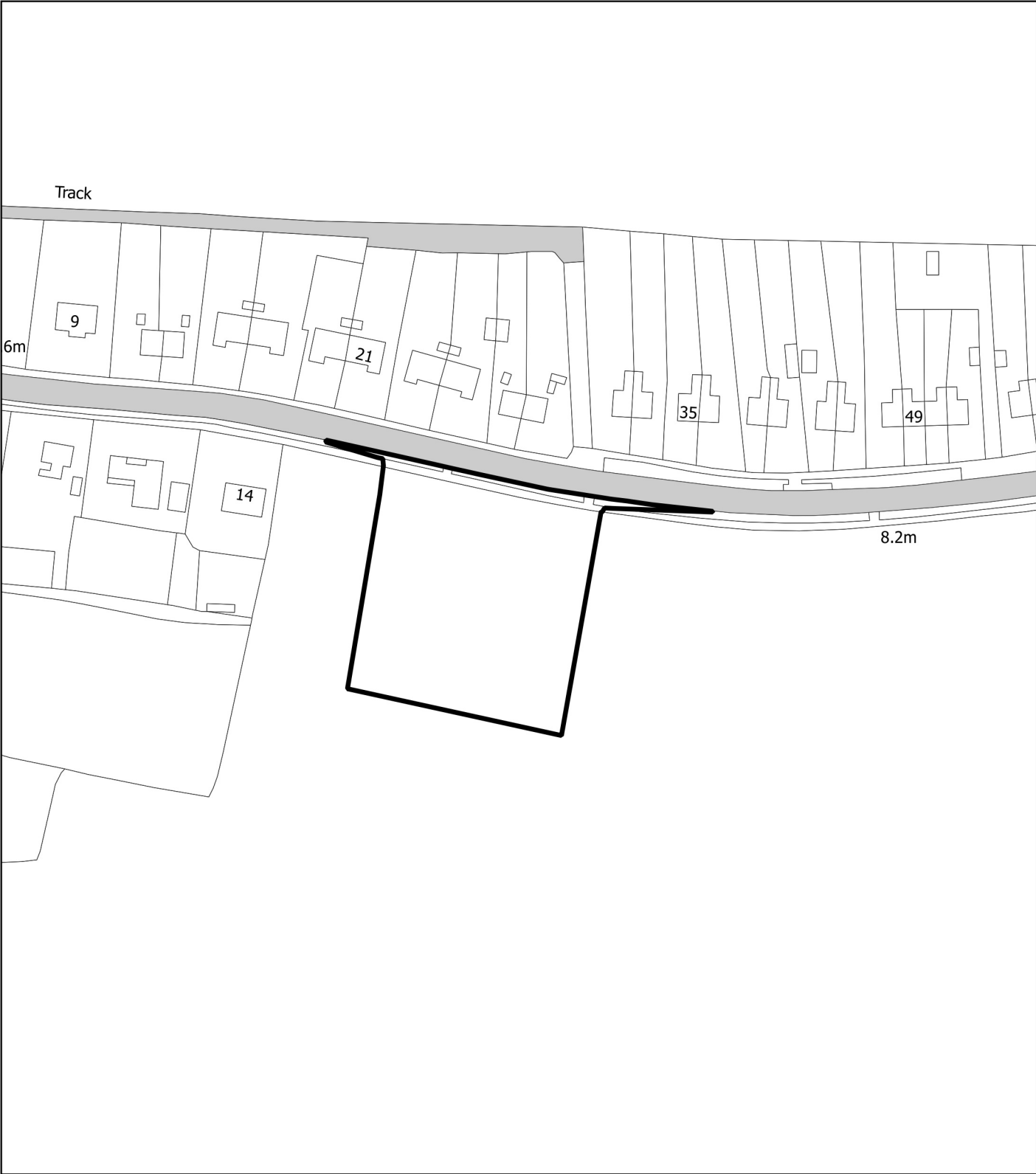
Land Adjacent To 14
Church Road
Wicken
Cambridgeshire

Construction of three dwellings, garages, access and associated works
- Plots 4-6

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QQ2ETEGG0D800>





21/01226/FUL

Land Adjacent To 14
Church Road
Wicken



East Cambridgeshire
District Council

Date: 14/12/2021
Scale: 1:1,500



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MAIN CASE

Reference No: 21/01226/FUL

Proposal: Construction of three dwellings, garages, access and associated works - Plots 4-6

Site Address: Land Adjacent To 14 Church Road Wicken Cambridgeshire

Applicant: C J Murfitt, Lads Construction & Grays Developments

Case Officer: Toni Hylton Senior Planning Officer

Parish: Wicken

Ward: Soham South
Ward Councillor/s: Ian Bovingdon
Dan Schumann

Date Received: 14 September 2021 **Expiry Date:** 11th January 2021

Report Number W128

1.0 RECOMMENDATION**1.1 Members are recommended to REFUSE the application**

The design of the proposed 3 dwellings in this edge of settlement location fails to consider the mass, scale and character of the area. Church Road is characterised by a mix of simple designs with parking provision to the side with space around the dwellings. The proposed dwellings introduce new characteristics which are not in keeping with the simple character of the immediate surroundings of the site. The proposal leads to a continual line of development with dwellings out of keeping with the mass and scale of the immediate vernacular. On this basis the proposal is considered to be contrary to policies WIC2, ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015 and the Design Guide SPD.

2.0 SUMMARY OF APPLICATION

2.1 The application proposes the erection of 3 detached dwellings along Church Road, Wicken, with an adjoining application for a further 3 dwellings application reference 21/01092/FUL. The table below provides the dimensions of the dwellings proposed for plots 4,5 and 6.

Plot	Height	Width	Depth	Floor area (including garages)	Plot size
4	8m (26.2)	10.5m (34.4)	15.3m (50.1)	219.93 (2357.3)	855 (9203.14)
5	8m (26.2)	10.5m (34.4)	15.3m (50.1)	219.93 (2357.3)	798 (8589.6)
6	7.7m (25.2)	9.8m (32.1)	12.3m (40.3)	172.00 (1851.39)	684 (7362.51)
Total				610 (6565.99)	

Please note the figures in () are measured in feet and inches

2.2 Plot 6 has 2 car parking spaces with a detached garage, whilst plots 4 and 5 have 3 car parking spaces and a detached garage. Each plot having its own access from Church Road. To the rear of the site is a 5m (16.4ft) wide planting belt with native species hedges to the boundaries. The site is constrained by having a 15 metre (49ft) gap between plot 4 and 5, this is due to a high voltage overhead electricity cable, which restricts development in this area.

2.3 The officer advised of the following concerns and requested amendments to the scheme which are listed below:

- Poor garage and access arrangements
- Overlooking from proposed balconies
- Development is closer to the road and needs to be set further into the site
- Plot 6 east facing elevation should be more interesting with features.

2.4 In December amended plans were received which addressed;

- Removal of balconies to restrict overlooking
- Windows and a chimney were added to the east facing elevation to plot 6
- Change to the garage locations

2.5 Cllr Ian Bovingdon called the application into planning committee on 3rd November 2021. Cllr Bovingdon had been contacted by the applicant and was aware of the Parish Council comments and considered that the application should be discussed by members of the planning committee to be fair to both the Parish Council and the applicant.

2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

3.1	21/01092/FUL	Construction of three dwellings, garages, access and associated works - Plots 1-3	To be determined
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21/00273/FUL	Residential development comprising three dwellings, garaging, parking, turning and associated site works - phased development	Withdrawn	06.05.2021
20/01393/RMA	Reserved matters of Access, Appearance, Landscaping, Layout & Scale of planning application 17/01945/OUT for residential development for 6no. new dwellings	Approved	04.02.2021
17/01945/OUT	Residential development for 6no. new dwellings	Approved	29.01.2019

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site comprises part of a larger agricultural field on the eastern edge of Wicken. There are residential dwellings located adjacent to the west of the site and on the opposite side of Church Road to the north of the site. The site has a public footway and highway verge with a tree to the front. Part of the site is within the development envelope for Wicken, however the rear part of the site is outside the development envelope. The front part of the site is allocated by Policy WIC2 of the adopted East Cambridgeshire Local Plan 2015 for up to 5 dwellings, whilst the rear part of the site is within the open countryside.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Ward Councillors – Cllr Ian Bovingdon called the application into planning committee on 3rd November 2021. Cllr Bovingdon had been contacted by the applicant and was aware of the Parish Council comments and considered that the application should be discussed by members of the planning committee to be fair to both the Parish Council and the applicant.

Wicken Parish Council – 20 December 2021
Reiterates comments from 14th October 2021 and are shown below.

Wicken Parish Council - 14 October 2021

States "Wicken Parish Council strongly objects to this development.

This parcel of land was added to the Local Plan 2015 with the following statement:
Policy WIC 2:

Housing allocation, land south of Church Road Approximately 0.2 hectares of land is allocated for residential development on land to the south of Church Road for up to 5 dwellings. Development proposals will be expected to:

o Be frontage development only, to reflect the existing character along Church Road.

- o Provide an element of affordable housing (currently 30%) as required under Policy HOU 3, with priority given to people in local housing need.
- o Provide a mix of dwelling types and sizes to reflect current evidence of need within Wicken.
- o Have particular regard to the layout, scale, height, design and massing of buildings, and landscaping, in order to minimise impact on the open countryside.
- o Provide appropriate evidence of the archaeological potential and significance of the site prior to the submission of a planning application; and
- o Comply with the other policies of the Local Plan.

This application for 3 large houses does not comply with the three areas of this statement.

- o Provide an element of affordable housing (currently 30%) as required under Policy HOU 3, with priority given to people in local housing need. The application does not provide an element of affordable housing and will not be affordable to residents of Wicken on the local average wage.
- o Provide a mix of dwelling types and sizes to reflect current evidence of need within Wicken. Wicken is in need of smaller properties preferably two-bedroom dwellings and bungalows.
- o Have particular regard to the layout, scale, height, design and massing of buildings, and landscaping, in order to minimise impact on the open countryside. The style of the houses are not in keeping with the mix of housing stock in the village. The majority of dwellings along the south of Church Road are bungalows. These large properties will have a direct impact on these neighbours.

The size of the dwellings will dominate the area and block the open vista towards Wicken Fen. The houses are too large and will impact the visible entrance to the village. Wicken Parish Council supports the planning application already approved for this site under reference 20/01393 and do not wish to see any deviation from this. Should the application be passed the Parish Council would like a condition applied that all work should be completed at the same time rather than individually as this will cause too much disruption to neighbouring properties and uses of the A1123."

Environmental Health (Scientific Officer) - 11 October 2021

States "I have read the Envirosearch report dated 3 March 2021 and accept the findings. I recommend that a condition requiring site investigation, etc. is not required. I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission due to the proposed sensitive end use (residential)."

Environmental Health - 6 December 2021

States "I have nothing to add to my previous comments"

Environmental Health - 5 October 2021

States "Due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 - 18:00 each day Monday - Friday
 07:30 - 13:00 on Saturdays and
 None on Sundays or Bank Holidays

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

No other comments to make at this time but please send out the environmental notes."

Local Highways Authority - 7 December 2021
Reiterates the comments from 4th October 2021

Local Highways Authority - 4 October 2021

States "Subject to the following comments and recommendations:

I have no objection to the principle of this application. However, the levels shown at the access to Plot 6 indicate that some private surface water may discharge to the public highway, noting that the LHA do not accept permeable surfacing as a suitable means of drainage. Either further information should be provided regarding levels or additional surface water drainage included prior to the boundary with the public highway.

Please append the following conditions and informative to any permission granted:
Conditions

HW8A: No gates, fences or walls shall be erected across the approved vehicular access, as shown on 20: 153 - 12.

HW16A: Parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 20: 153 - 12 and thereafter retained for that specific use.

HW22A: The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

Non-Standard Condition: Vehicular access shall be constructed to include the provision of a metalled/sealed surface for a minimum length of 5m from the existing carriageway edge."

Cambridgeshire Archaeology - 8 December 2021

States "Thank you for consulting us again in relation to this scheme following the submission of additional information involving changes to the layout and design of the proposed plots.

I am writing to confirm that we have reviewed the amended plans and these do not alter the advice previously issued by my colleague on 11/10/2021.

On-site fieldwork for the recommended excavation is on-going at this stage, due to be completed imminently, with post-excavation elements of the agreed programme still pending.”

Cambridgeshire Archaeology - 11 October 2021

States “An archaeological evaluation of the proposed development area has previously been carried out against the condition included on prior permission ref 17/01945/OUT for development in this location. The results of the evaluation demonstrated that all six trenches contained archaeological features, consisting of ditches, gullies and pits dated to the Late Saxon to early medieval period (c. AD 1050-1350). The pottery assemblage is suggestive of domestic activity on or immediately adjacent to the site. Settlement-type activity is also strongly suggested by the recovery of charred cereals, chaff and lava quern, which may attest to on-site processing of cereals. The recovery of animal and fish bones (including eel) along with marine mollusc shell suggests the disposal of midden material. The remains are significant in terms of understanding the origins and development of the village. The most northern of the series of linear features appears to run parallel to the modern road, likely medieval in origin, linking the isolated church to the east with the historic core of the village to the west (Oxford Archaeology East report number 2336, ECB5898). In view of this evidence we recommend that further archaeological work is required in advance of construction, in mitigation of the impacts of the proposed development on the sensitive archaeological remains known to be present.

We therefore do not object to development from proceeding in this location but consider that the site should be subject to a further programme of archaeological investigation (excavation), secured through the inclusion of a negative condition”

Enforcement Section - No Comments Received

CCC Growth & Development - No Comments Received

Waste Strategy (ECDC) - No Comments Received

Infrastructure & Strategic Housing Manager - ECDC - No Comments Received

5.2 A site notice was displayed near the site on 15 October 2021.

5.3 Neighbours – 12 neighbouring properties were notified and no responses have been received.

6.0 The Planning Policy Context

6.1 *East Cambridgeshire Local Plan 2015*

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design

ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV14	Sites of archaeological interest
COM7	Transport impact
COM8	Parking provision
WIC 2	Housing allocation, land south of Church Road

6.2 *Supplementary Planning Documents*

Developer Contributions and Planning Obligations

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

Natural Environment SPD

Climate Change SPD

6.3 *National Planning Policy Framework 2021*

2 Achieving sustainable development

5 Delivering a sufficient supply of homes

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

16 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 Background

7.1.1 In 2015 the Local Planning Authority adopted the East Cambridgeshire District Council Local Plan 2015, the front of the site was allocated for residential development, for up to 5 dwellings by policy WIC2. In 2019 an outline application (17/01945/OUT) was approved for the provision of 6 dwellings. A reserved matters application (20/01393/RMA) was approved in February 2021. The approved scheme included a pair of semi-detached chalet style 2 bedroom dwellings, 2 detached 3 bed dwellings and 2 detached 4 bed dwellings. The scheme was frontage development creating 4 vehicular accesses. The scheme did not include detached garages or car ports. This scheme is an extant permission and expires in February 2023.

7.1.2 The table below demonstrates the dimensions of the approved scheme.

Plot	Height	Width	Depth	Floor Area
1	7.3m	Total 13.8m	8.9m	122.8
2	(23.9)	(45.2)	(29.1)	(1313.2)
3	9.1m	6.8m	11.4m	77.5
4	(29.8)	(22.3)	(37.4)	(1668.4)
5	9m	10.5m	9.4m	98.7
6	(29.5)	(34.4)	(30.8)	(2120.4)
TOTAL				474.5 (5102.09)

Please note the figures in () are measured in feet and inches

7.2. Principle of Development

7.2.2 The site to the front is allocated within the East Cambridgeshire District Local Plan under policy WIC2 which allocates the site for development for up to 5 dwellings. In 2019 an application was approved in outline for 6 dwellings, with a subsequent reserved matters approved in 2021. On this basis the principle of development in this location has been considered acceptable.

7.3 Residential Amenity

7.3.1 There are no immediate neighbours to the proposal other than the dwellings directly opposite the site on Church Road. The Council is also considering an application for 3 dwellings, situated to the west of this application, under planning reference 21/01092/FUL. The outlook of those dwellings located opposite the site will change if permission was granted. However, whilst those properties will have their view changed, it is not considered that the proposed dwellings will have an adverse impact in terms of overlooking or being overbearing on those existing properties. On this basis the proposal is considered to comply with policy ENV2 of the East Cambridgeshire District Council Local Plan 2015, and the Design Guide SPD.

7.3.2 The scheme has been amended to address some concerns for the potential overlooking between the proposed dwellings, by removing balconies to the rear elevations. It is considered that the proposals will not be detrimental to any future occupiers of the dwellings proposed although a condition to restrict windows to the east and west elevations would seem appropriate to ensure protection for the future.

7.3.3 With regard to the adjoining scheme, application reference 21/01092/FUL, the proposal is considered to maintain the future occupiers' amenities by way of overlooking and overbearing. A condition restricting windows to the east and west elevation would seem appropriate to ensure the long term future amenities. The proposal is considered to meet the requirements of policy ENV2 of the East Cambridgeshire District Council Local Plan 2015.

7.3.4 The scheme achieves garden space in excess of 50 square metres (538 sqft) and plot sizes in excess of 300 square metres (3229 sqft) as set out by the Design Guide SPD. There is no overlooking between the proposed plots as window distances are in excess of 20 metres (65ft) and to ensure future amenities are protected a condition restricting windows can be applied, if permission was to be granted. It is considered that the proposal does meet the requirements of policy ENV2 of the East Cambridgeshire District Council Local Plan 2015 and Design Guide SPD.

7.4 Visual Amenity

7.4.1 The character of Church Road is characterised by predominantly single storey dwellings to the south and 2 storey semi-detached dwellings to the north. The dwellings opposite the site are semi-detached and are a mix of render and brick. The development along Church Road is predominantly linear. There is an anomaly with the development of a single storey dwelling to the rear of 14 Church Lane, however the remaining development is linear, all having road frontage following the line of the road.

7.4.2 Policy WIC2, which allocates this site for development, states that any proposals should be in a linear form. Since the adoption of the policy, the criterion has had to adapt, it has been agreed that the site can accommodate 6 dwellings, rather than 5, in accordance with the extant permissions on the site. The NPPF has also been amended and states at paragraph 64 that the 'provision of affordable housing should not be sought for residential developments that are not major developments', therefore affordable housing cannot be sought as part of this development as it is not a major development. However, the remaining criterion should still be met which is:

- *Be frontage development only, to reflect the existing character along Church Road.*

The dwellings are located in a linear form along Church Road.

- *Provide an element of affordable housing (currently 30%) as required under Policy HOU 3, with priority given to people in local housing need.*

This is no longer required as set out above.

- *Provide a mix of dwelling types and sizes to reflect current evidence of need within Wicken.*

The proposal provides 2, 3 and 4 bedroomed dwellings when assessed with the adjoining application 21/01092/FUL. However, this proposal seeks 3 no. 4 bedroom dwellings. The Parish Council consider there should be a better mix of dwellings. The previous scheme provided 2 of each 2, 3 and 4 bedroomed properties. This scheme provides 3 large 4 bed dwellings, 2 no. 3 bed and 1 no. 2 bed properties. The dwellings proposed are large dwellings, providing large rooms, ensuites, bathrooms, bedrooms and reception rooms. This is introducing a different form of development out of keeping with the immediate surroundings of Church Road. It is considered that this development is seeking to attract a different occupier to that already approved and as such does not maintain the character of the area. The extant permission could be implemented and would achieve a better mix of dwellings to meet the needs of the local residents. Whilst the extant planning permission would provide a better mix, the proposal does provide a mix of dwelling types although a higher proportion of larger dwellings. No evidence has been provided by the applicant to support this mix and what is needed within the village.

- *Have particular regard to the layout, scale, height, design and massing of buildings, and landscaping, in order to minimise impact on the open countryside.*

The proposal introduces 3 dwellings, closer to the road and whilst in terms of height they are lower than those of the extant permission on site, they are larger in footprint and cover the width of the site with the dwelling and detached garage. The garage is set back from the dwelling to the side, but when read within the streetscene there is very little space between the dwellings, due to their overall width and the positioning of the garages. The dwellings opposite have space around them and to introduce almost a continual line of development will be out of keeping with this edge of settlement location, to the detriment of the visual character of the area. In reducing the space around the dwellings it is considered to be out of keeping with the rural setting and character of Church Road.

The external appearance of the dwellings uses influences from other dwellings found within the East Cambridgeshire district and they are not distinct to this location. However, the National Design Guide, asks us to look at the immediate surroundings and vernacular. These dwellings, whilst they may suit other locations in the district, they are not suitable in this location, as they do not relate to the immediate surroundings. It is accepted that the indicated materials may be acceptable, the design is not. The dwellings appear overly large with protruding gable ends and are elongated in depth. This is not a feature in the immediate surroundings. Dwellings along Church Road are predominantly semi detached with 2 storey dwellings also having single storey elements, which assists in reducing the mass and scale of the dwelling. The proposed dwellings introduce internal space which is for circulation only, to appear 'grand' these dwellings should be simple and reflect the rural nature of the area and the extant permission on this site. The proposal fails to consider the local character; space around dwellings; landscaping and to reflect the needs of the locality.

- *Provide appropriate evidence of the archaeological potential and significance of the site prior to the submission of a planning application;*
This is currently being addressed.
- *Comply with the other policies of the Local Plan.*
The proposal does not affect the amenities of the adjoining neighbours and as such meets the residential amenity element of policy ENV2. However, the impact on the visual character of the area is considered to be adversely affected in direct conflict with policy ENV1 and ENV2 of the Local Plan. There are other policies which are also relevant to the proposal which are discussed later in the report.

7.4.3 The application does not provide details of the materials; however, it is indicated to be a mix of brick, cladding and render. The immediate dwellings are also a mix of brick and render with the dwelling to the rear of number 14 Church Road nearing completion being clad. The materials proposed are considered to feature in the street scene and if permission was granted a condition could be appended to seek exact details, to make sure there would be no adverse impacts.

7.4.4 The recently published National Design Code and NPPF requires development to consider the local surroundings and to raise the standards of design. The proposed development is not considered to raise the standards of design. To raise standards, the proposal would have to use high quality materials and be of a unique design,

which relates to the location and it is not considered that this proposal raises the standard of design, a key requirement of the NPPF and National Design Guide. There are similar houses in the district, but not in Wicken and the mix of influences from different design eras is not acceptable when there is a clear defined character in this part of Church Road. The character of this part of Wicken is smaller simple style dwellings, with parking to the side of the dwellings with front and rear gardens. This proposal does not replicate this characteristic. Each dwelling has its own access, however the front garden is small predominantly covered with hard standing for parking and turning of vehicles. The scheme does not provide any detailed landscaping details, however there will be limited landscaping to the front due to the hardstanding and layout of the development. Landscaping will be concentrated to the rear, which will have limited positive impact on the visual amenity of Church Road.

7.4.5 The scheme approved in February 2021 under application reference 20/01393/RMA was considered acceptable, by providing a mix of materials and modern style dwellings using recent developments as a starting point. The scheme was also simple and leant itself to the edge of settlement location in a rural village. The mass and scale of the dwellings was more akin to an edge of settlement location. In comparison, the previous scheme is more in keeping with the character of the area and is an extant permission that can be implemented. This scheme fails to consider its location to the detriment of the visual amenity of the area. Whilst the heights of the dwellings are lower than what was approved, the mass being introduced and elongated depth of the dwellings increases the overall scale of the development and as such fails to reflect the character of the immediate surroundings.

7.4.6 The proposed development does not have space around the dwellings and uses a modern design more akin to an urban setting. It is considered that the proposal does not reflect the character of Church Road, Wicken. The revised designs fail to consider the simple understated architecture of the locality and its edge of settlement location. It is considered that the design of the proposal fails to meet the objectives of policies WIC2, ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015 and Design Guide SPD.

7.5 Historic Environment

7.5.1 The site is not within the Conservation Area, and is approximately 300 metres (984ft) from the Grade II Listed St Lawrence Church. The site has been subject to a Written Scheme of Investigation (WSI) and the Historic Environment Team (HET) are awaiting the results. In consultation with the HET a pre-commencement condition is required, as these results are unknown and the WSI is being completed under a different permission. To ensure all of the work is completed to the satisfaction of the HET it would require a pre-commencement condition being applied, as set out in their consultation response. This may change should the results be received prior to the planning committee meeting and Members will be updated accordingly. The proposal is considered to be acceptable and comply with policy ENV14 of the East Cambridgeshire District Council Local Plan 2015 subject to a condition being applied if the proposal was approved.

7.6 Highways

- 7.6.1 The proposal provides 3 separate accesses for the 3 dwellings, each having their own private drive with detached garage. The site can provide adequate vehicle and cycle parking spaces in accordance with policy COM8 of the Local Plan, although a condition is required to ensure this area is demarcated and retained for parking spaces as well as a dedicated turning area.
- 7.6.2 In consultation with the Local Highway Authority additional information in relation to surface water would also be required and this can be dealt with by way of condition. It is considered that the proposal can achieve safe access and meet parking requirements. On this basis the proposal is considered to comply with policies COM7 and COM8 of the East Cambridgeshire District Council Local Plan 2015.

7.7 Ecology

- 7.7.1 The site was part of an arable farm; however, it would appear not to have been farmed recently. There is limited planting and no ponds within the site. The East Cambridgeshire District Council Local Plan 2015 and the Natural Environment SPD requires developments to provide a net gain in biodiversity. In order to achieve this additional planting and other measures not limited to bird and bat boxes will need to be provided as part of a scheme by way of condition. It is considered that the scheme can achieve a net gain in biodiversity in compliance with policy ENV7 of the East Cambridgeshire District Council Local Plan 2015 and the Natural Environment SPD.

7.8 Flood Risk and Drainage

- 7.8.1 The site is within flood zone 1 which is a location where you would expect vulnerable developments, such as housing, to be located. The previous outline consent has a condition attached, which requires the submission of details with regard to foul and surface water (condition 6). In the event of planning permission being approved a condition for details of the foul and surface water arrangements would be required. The application is considered acceptable and complies with policy ENV8 of the East Cambridgeshire District Council Local Plan 2015 and the Flood and Water SPD.

7.9 Climate Change

- 7.9.1 In 2020 the Council adopted the Climate Change SPD and declared a Climate Emergency. The recently adopted Climate Change Supplementary Planning Document predominantly focusses on providing additional guidance to the implementation of Local Plan Policy ENV 4 – Energy and water efficiency and renewable energy in construction. Policy ENV 4 states all proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable.
- 7.9.2 The plan 20:153-12 revision A states that a fabric first approach will be taken to sustainability and the applicant is committed to delivering robust projects that exceed the minimum requirements of building regulations. It is considered that the

scheme has satisfied the requirements of the SPD. However, this application is for 3 dwellings and is being considered in conjunction with the adjacent scheme for 3 dwellings, application 21/01092/FUL, all within the same ownership. On this basis cumulatively, it is considered that a condition requiring an Energy and Sustainability Statement would be required and this can be appended by way of condition, in order to meet the requirements of policy and the Council's SPD. The proposal is considered to comply with policy ENV4 of the East Cambridgeshire District Council Local Plan 2015 and the Climate Change SPD, subject to the imposition of planning conditions.

7.10 Conclusion

7.10.1 Whilst the principle of development is considered acceptable, the design of the proposal is considered to be at odds with its rural surroundings and immediate neighbours and as such is considered to be contrary to policies WIC2, ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015. There are fundamental design flaws with this proposal which are clearly adverse to the visual character of the area by introducing elongated depth of dwellings; lack of space around the dwellings and having limited space for landscaping to the front of the site. The proposal is therefore recommended for refusal for the reason given above.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/01226/FUL	Toni Hylton Room No. 011 The Grange Ely	Toni Hylton Senior Planning Officer 01353 665555 toni.hylton@eastcambs.gov.uk
21/01092/FUL		
21/00273/FUL		
20/01393/RMA		
17/01945/OUT		

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

21/01487/ADI

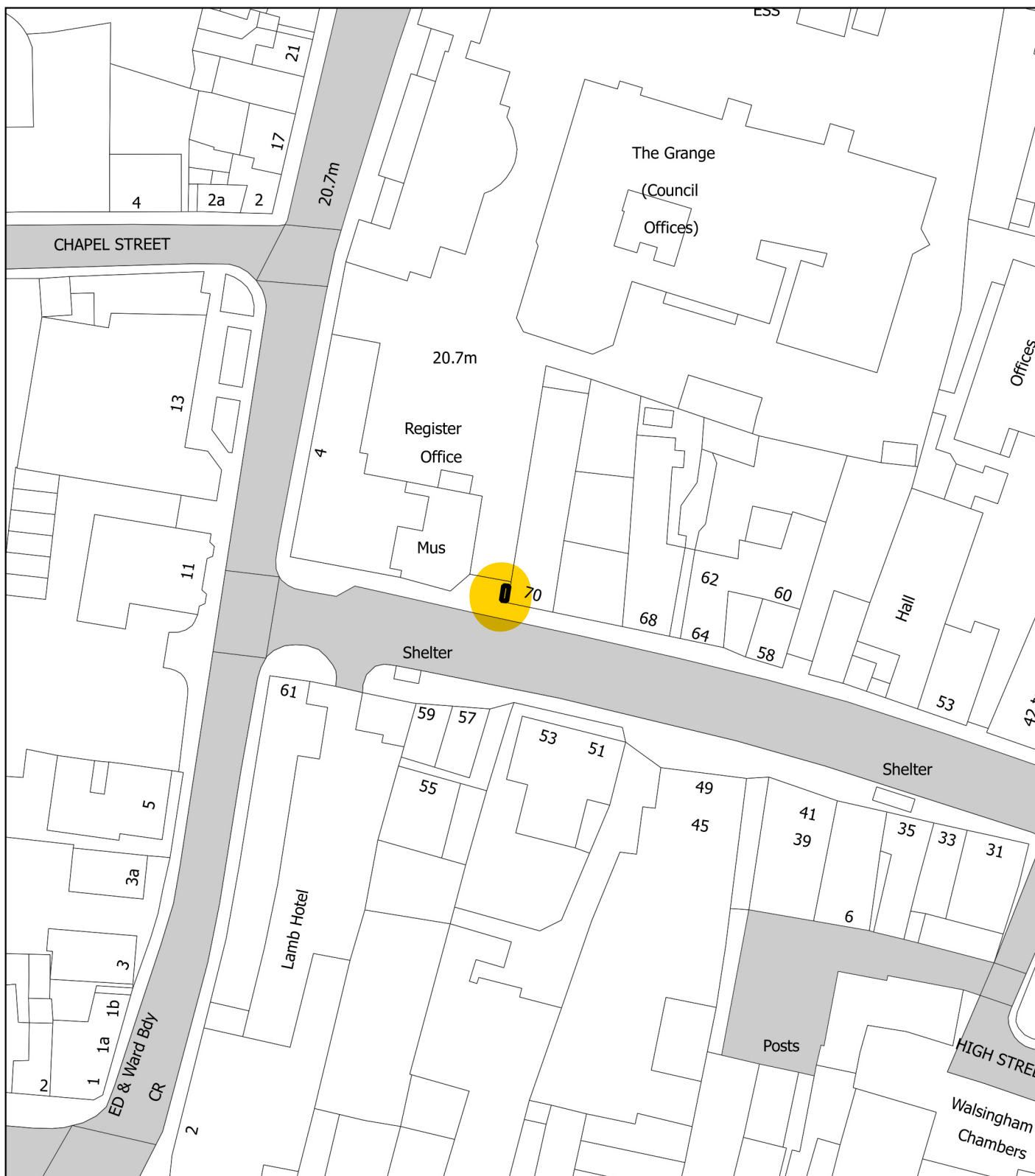
Multiple Sites Across Ely
Cambridgeshire

Installation of multiple digital signage screens around the City of Ely - Phase 2

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R29766GG0D800>





21/01487/ADI



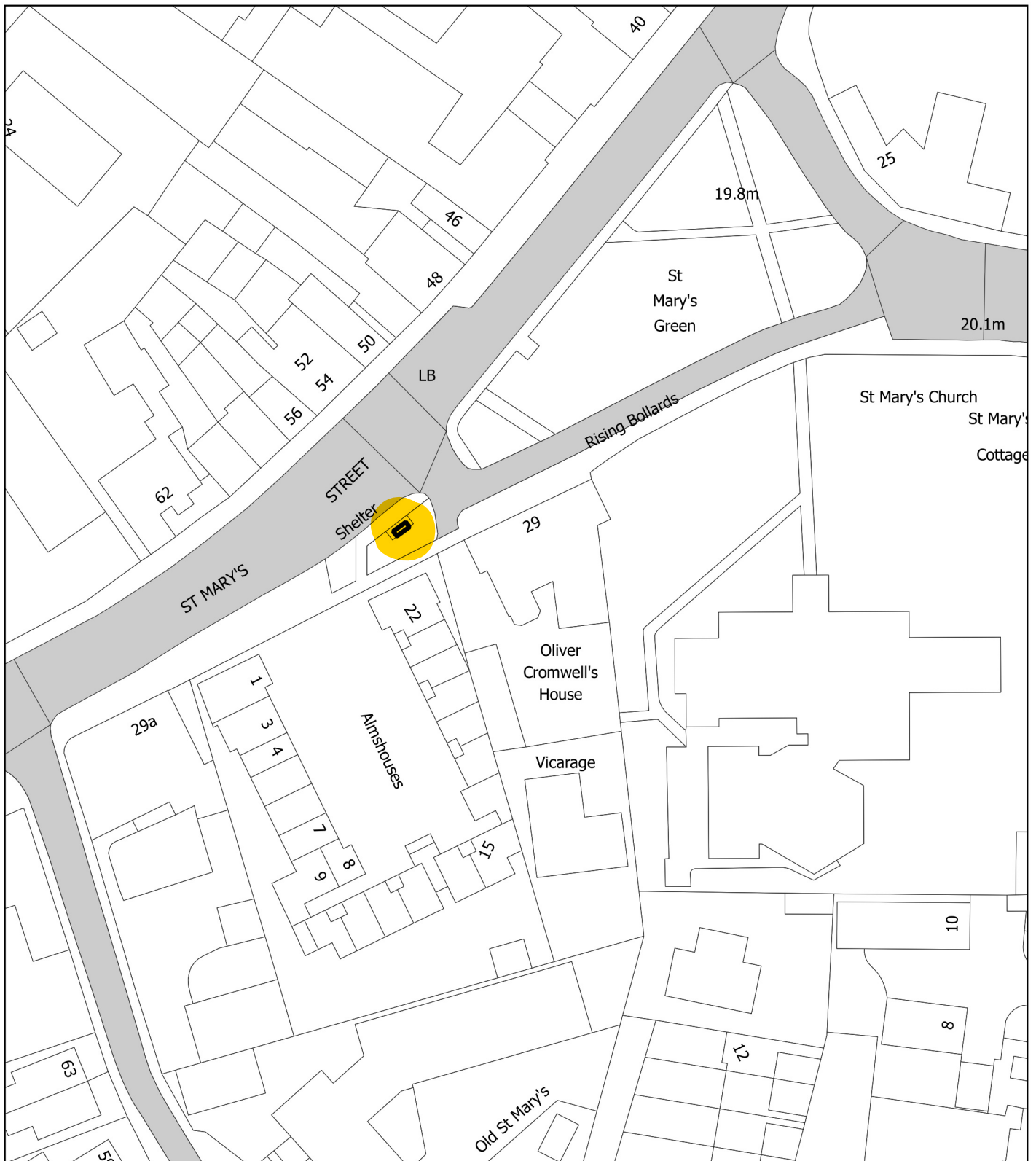
Multiple Sites Across Ely

East Cambridgeshire
District Council

Date: 14/12/2021
Scale: 1:750



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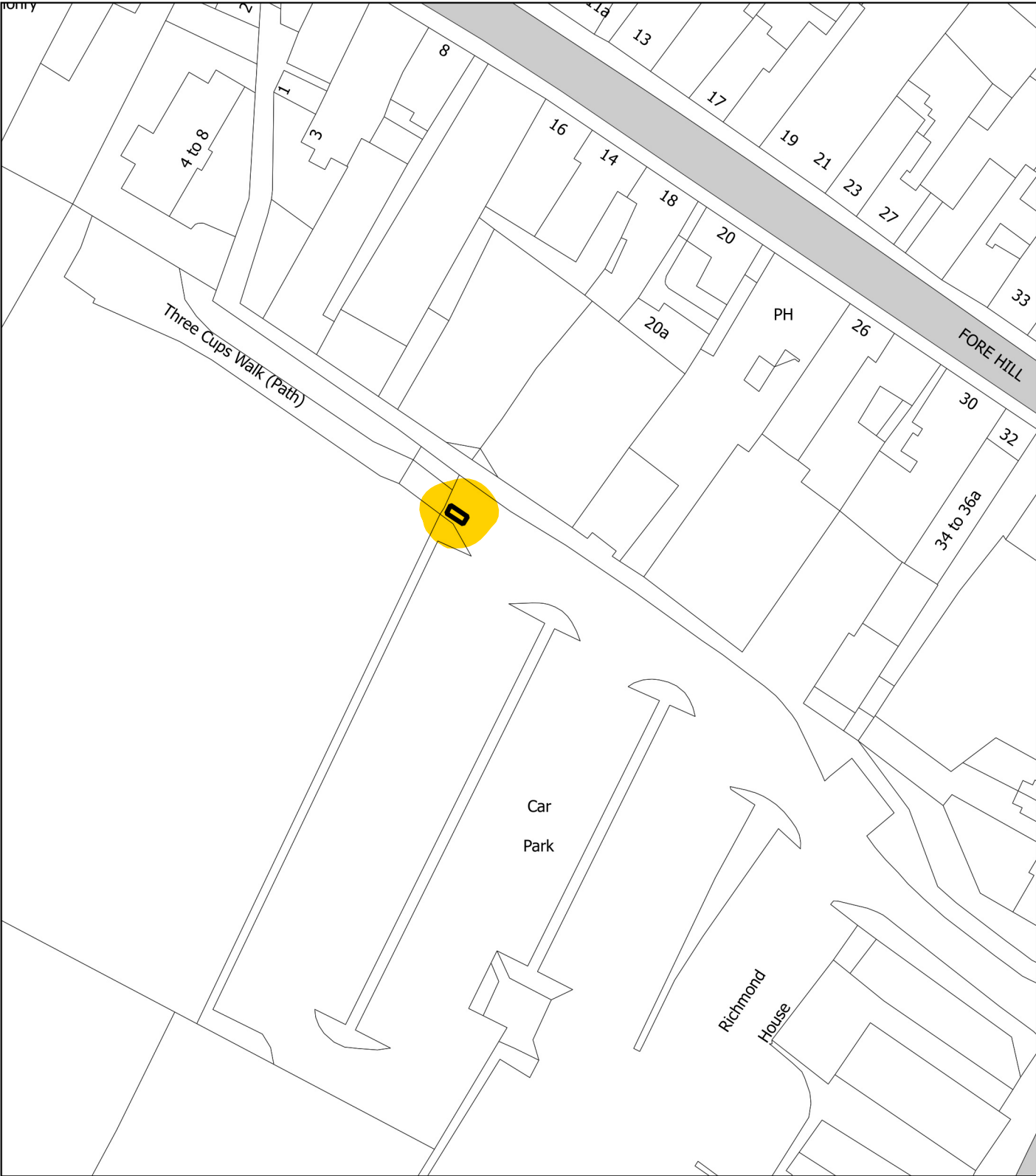
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MAIN CASE

Reference No: 21/01487/ADI

Proposal: Installation of multiple digital signage screens around the City of Ely - Phase 2

Site Address: Multiple Sites Across Ely Cambridgeshire

Applicant: East Cambridgeshire District Council

Case Officer: Holly Chapman Planning Officer

Parish: Ely

Ward: Ely East
Ward Councillor/s: Matthew Downey
Lis Every

Date Received: 5 November 2021 **Expiry Date:** 14 January 2022
Report Number W129

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application subject to the recommended conditions below:

1. Approved Plans
2. Consent for display of advertisement
3. Standard advertisement safety
4. Maintenance of the advertisements
5. Structure/hoarding advertisement safety
6. Removal of advertisement
7. Time Limit – 10 years
8. Removal of the existing Tourism Information Points
9. Luminance of the advertisements (Oct to March)
10. Luminance of the advertisements (Apr to Sept)
11. Noise

1.2 The conditions can be read in full on the attached Appendix 1

2.0 SUMMARY OF APPLICATION

2.1 The application submitted seeks planning permission for the installation of three digital advertisements, with interactive touch screens, in multiple locations throughout the city of Ely. The original submission included four advertisements,

one of which has since been removed from the proposals for reasons set out within this report. The proposals are intended to replace a number of the existing Tourist Information Points (TIPs).

- 2.2 The proposals comprise three types of advertisement, the details of which are set out within the Table 1:

	Single Sided Totem	Double Sided Totem	Wall Mounted Screen
Height	2.35m (7'9")	2.35m (7'9")	0.85m (2'10")
Width	1.04m (3'5")	1.04m (3'5")	1.32m (4'4")
Depth	30cm (12")	30cm (12")	0.15m (6")
Screen Size	140cm (55")	140cm (55")	125cm (49")
Luminance	2,500 cd/m ² (dimmable)	2,500 cd/m ² (dimmable)	2,500 cd/m ² (dimmable)
Noise	No	No	No
Totem/Screen Surround Colour	Black	Black	Black
Lettering Size	6cm (2.4")	6cm (2.4")	6cm (2.4")
Lettering Colour	White	White	White

Table 1 – Proposed Advertisements

- 2.3 The proposals are to be sited in the following locations around the city:
1. Forehill Car Park – Single Sided Totem
 2. St Mary Street Bus Stop – Single Sided Totem
 3. 72 Market Street – Wall Mounted Screen
- 2.4 The advertisement at Barton Square has been removed from the proposals.
- 2.5 The proposed content of the advertisement remains indicative at this stage, but it is understood from the information submitted with the application that the content of the screens would comprise tourist and wayfinding information, to replace the older and outdated information on the existing TIPs.
- 2.6 The advertisements are proposed to be illuminated for 24 hours across the day given their function as wayfinding structures.
- 2.7 The application is being considered at Planning Committee because the applicant is East Cambridgeshire District Council (submitted by the Infrastructure and Strategic Planning Team), in accordance with the Council's Constitution. The first phase of advertisements was approved by Members at the 1st December 2021 Planning Committee – LPA Ref. 21/01280/ADI.
- 2.8 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

21/01280/ADI	Installation of multiple digital signage screens around the City of Ely	Approved	07.12.2021
76/00517/LBC	EXTENSIONS TO EXISTING RETAIL STORE	Refused	23.03.1977
76/00518/FUL	EXTENSION TO EXISTING RETAIL STORE, SALES ON GROUND AND FIRST FLOOR, WITH STORAGE FIRST FLOOR	Refused	23.03.1977
76/00519/FUL	EXTENSION TO EXISTING RETAIL STORE WITH SALES ON GROUND FLOOR AND STORAGE ON FIRST FLOOR	Refused	23.03.1977
77/00098/LBC	EXTENSION TO EXISTING RETAIL STORE	Refused	23.03.1977

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application sites comprise in part locations whereby existing tourism information points (TIPs) are already in existence (two of the three advertisements). One 'new' advertisement is therefore proposed as part of the application proposals which does not currently exist.
- 4.2 All three application sites lie within the Ely Conservation Area. Two of the proposed advertisements lie within proximity to Grade II and Grade II* listed buildings and buildings of local importance. These will be identified throughout this report where relevant.
- 4.3 The proposed advertisements all lie within Flood Zone 1 (lowest risk).
- 4.4 All application sites lie within the development envelope for Ely.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's website.
- 5.2 **Local Highways Authority** - 22 November 2021
States: "I do not object to the principle of this application as all signage is suitably located so as not to cause an obstruction or impact upon safety. their vision. Please can the applicant elaborate on night-time luminance levels?"

Should the applicant be granted permission, they will need to contact Cambridgeshire County Council's Street Works team to arrange for the appropriate licenses and permission to install the signage within the highway."

5.3 **City of Ely Council** - 23 November 2021

States: "The City of Ely Council has no concerns with regards to this application."

5.4 **Conservation Officer** - 26 November 2021

States: "Comments: Historic England's 2018 'Streets for All - Advice for Highway and Public Realm Works in Historic Places' notes: 'The quality of our environment is a measure of our quality of life and contributes significantly to the experience of visitors and customers. To achieve (or sustain) a high quality environment, public realm and highways works need to be both functional and attractive, using materials of appropriate quality and durability for the setting and purpose (and enabling on-going maintenance), as well as achieving a positive aesthetic impact. In historic places this means ensuring works complement the character of the area, sustain the significance of its historic buildings and spaces, and potentially also enhance access to heritage or understanding of its significance. It is important that designers identify the significance of places and value of historic public realm features (from paving or street furniture to green spaces) where they contribute to the quality or identity of historic places, and seek to sustain this value. The introduction of street furniture requires coordination. Its style, colour and materials should all be inspired by its surroundings and it should be sited with reference to existing building and footway lines. As a rule, advertising panels tend to be incompatible with the visual sensitivity of historical and rural settings and the need to reduce clutter... Poorly sited advertising can have a degrading effect on the character of conservation areas and the setting of listed buildings, especially when digital screens and internally illuminated signs are used.'

As this is a group application, the individual sites have been summarised as follows:

Site	Assets affected	Unit type	Heritage sensitivity	Townscape sensitivity
72 Market Street	Ely CA Old Gaol Grade II LB	Wall mounted	Medium	Low
Barton Square	Ely CA Fountain Inn Grade II LB K6 telephone box Grade II LB Ely Porta Grade I LB	Double	Medium	High
Forehill Car Park	Ely CA	Single	Low	Low
St Mary's Street Bus Stop	Ely CA Oliver Cromwell House Grade II* LB Parson's Almshouses Grade II LB	Single	High	Low

Although the units are information points, their technology and visual impact are effectively the same as digital adverts and the same reservations cited in 'Streets for All' apply around their deployment in heritage-critical locations. The proposed sites at Barton Square and St Mary's Street are especially sensitive in this regard, although the latter is already dominated by existing street furniture, notably the bus shelter. Whilst this will ameliorate the impact of the unit within St Mary's Street, Barton Square is a very important space within the conservation area in townscape terms and a unit here cannot be supported from a conservation perspective. It is recommended that the unit at Barton Square be omitted. There remain alternative

sites (eg Ely railway station) which could easily absorb any surplus.
Recommendation: amendment recommended.”

Conservation Officer (following amendments) – 21 December 2021

States: “The omission of the Barton Square unit allays the principal heritage concern. On balance there are no objections to the remainder of the sites proposed.

Recommendation: no objection.”

5.5 Technical Officer Access - 30 November 2021

States: “The totem displays are not accessible to those using wheelchairs. There is no information on how wheelchair users will be able to use this facility.”

5.6 Historic England - 7 December 2021

States: “Historic England Advice

Ely is a small city, the historic core of which is centered around the Cathedral and the former monastic claustral buildings. It is broadly confined by the River Great Ouse to the east and the modern day A10 to the west. The city is expanding with new developments to the north and the south. The historic core of Ely contains a large number of listed buildings within a small area. The Cathedral of the Holy Trinity is Grade I listed but surrounding this are the scheduled monuments of the claustral buildings and the other Grade I listed buildings of The Bishops Palace, The Almonry, The Chapel of the Infirmary and The Queens Hall to name only a few. There are also Grade II* listed Buildings as well as numerous examples of Grade II listed buildings.

The historic core of the city is therefore densely packed with listed buildings, all of which are susceptible to changes within their setting. Given the high survival rate of historic street patterns and buildings within the Conservation Area, the highly graded buildings are experienced broadly free of brightly lit modern clutter. While there is the usual array of street lights there are discreetly designed and modestly lit and street furniture is mostly placed so as to minimise the harm to the historic setting of these wonderful heritage assets. Ely Conservation Area Appraisal states it is "one of the jewels of England" but modern interventions should respect the traditional character of this important city.

Impact of the scheme

It is proposed to site digital screens in four different locations in Ely City. This is on top of those already applied for in the phase one works in application number 21/012V80/ADIV.

It is noted that there is a desire to guide visitors to important areas of Ely however, given the high numbers of Listed Buildings it is sensitive to change. Historic England have identified the proposed screen at St Mary's Street Bus Stop and Barton Square as being particularly harmful. The heritage assessment submitted with the application does not detail the heritage assets affected or consider any of the harm caused.

St Mary's Street Bus Stop

This location is on the edge of the historic core of the city. The location chosen is in the vicinity of the Grade I listed Church of St Mary, grade II* listed Oliver Cromwell's House and the Grade II listed Parsons Almshouses as well as numerous other

grade II listed buildings and the Ely Conservation Area. There is already a bus shelter, three telephone/internet cabinets, a street light and a rubbish bin in this location which, despite being of the same design palette, do add a proliferation of street furniture to this small area of space which detracts from the setting of the aforementioned heritage assets. A public noticeboard is already present on St Mary's Green and better use could be made of this to display a map of the town.

Barton Square

This location is within the historic core of the town centre. It is opposite the grade II listed wall of the monastery and the grade II listed The Fountain Public House as well as the grade II* listed storehouse and barn and the grade II* listed Ely Porta. The grade II listed K6 telephone box is also on Barton Green. Apart from the benches and dustbins on Barton Green and a roundabout road sign, the area is rather unspoiled by street furniture which retains the traditional feel of this street scene. A digital screen in this location would be out of keeping with this traditional street scene and damaging to the setting of the highly graded heritage assets.

Policy Context

Paragraph 194 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage asset affected including any contribution made by its setting.

Paragraph 199 of the NPPF states that great weight should be given to the asset's importance (the more important the asset, the greater that weight should be)

Paragraph 200 states that any harm to, or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification; and, Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Historic England Position

Historic England considers that two of the locations for digital signs within this phase two proposal would be harmful to the significance of highly graded heritage assets. Those at Barton Square and St Mary's Green would be within the setting of sensitive heritage assets and should be removed or re-sited away from these sensitive areas. We therefore consider that the scheme is not in accordance with paragraphs 199 and 200 of the NPPF.

The Heritage Assessment submitted is not sufficiently detailed so as to understand the heritage assets affected by each sign nor is it detailed enough to understand the impact upon the heritage assets which it is close to. It is therefore not in accordance with paragraph 194 of the NPPF.

Historic England consider that the scheme would cause less than substantial harm, low on the scale to highly graded heritage assets and your local authority should undertake the planning balance as required by paragraph 202 of the NPPF.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194, 199 and 200] of the NPPF.”

5.7 Environmental Health – 21 December 2021

States: “Thank you for consulting us on the above application.

My comments will be the same as for 21/01280/ADI which I include below for reference –

“We have discussed this application informally and I am happy with the proposed condition which states that –

The advertisements must be dimmed to a maximum of 600cd/m2 as based upon the guidance we have available.

1st October to 31st March – advertisements shall be dimmed between 16:00 to 08:00

1st April to 30th September – advertisements shall be dimmed between 18:30 to 07:00””

Environmental Health (following amendments) – 21 December 2021

States: “Thank you for reconsulting us on the above application with regard to: The amendment involves the removal of the Barton Square advertisement from the proposals. All other elements of the proposals remain unchanged.

I have nothing to add to my previous comments below.”

5.8 Ward Councillors - No Comments Received

5.9 Consultee For Other Wards In Parish - No Comments Received

5.10 Cambridgeshire Archaeology - No Comments Received

5.11 Cambridge Ramblers Association - No Comments Received

5.12 Asset Information Definitive Map Team - No Comments Received

5.13 A site notice was displayed near the site on 29 November 2021 and a press advert was published in the Cambridge Evening News on 18 November 2021.

5.14 **Neighbours** – 20 neighbouring properties were notified. No responses were received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 3	Shop fronts and advertisements
ENV 11	Conservation areas
ENV 12	Listed buildings

Supplementary Planning Documents

Design Guide

Ely Conservation Area Appraisal

National Planning Policy Framework 2021

- 6 Building a strong, competitive economy
- 8 Promoting healthy and safe communities
- 12 Achieving well-designed places
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 The main considerations in the determination of this application are the impacts on the character and appearance of the area, and the setting and significance of the heritage assets, and highway/pedestrian safety

7.2 Background

7.3 The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and amendments to these regulations. Advertisements are controlled with reference to their effects on amenity and public safety only, and related material planning considerations of the East Cambridgeshire Local Plan 2015. 'Amenity' includes both visual and aural. 'Public Safety' can include crime prevention.

7.4 On a procedural matter, the proposals include the erection a number of single/double sided 'totem' structures, which will also require a degree of subterranean works in order to anchor them to the ground. It is relevant that S336(1) of the Town and Country Planning Act 1990 (as amended) sets out that the definition of an 'advertisement' includes any "similar structure used or designed, or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements, and references to the display of advertisements shall be construed accordingly".

7.5 The proposed totem advertisements are therefore considered to satisfy the above definition, and can therefore be considered as part of this application for advertisement consent. Section 222 of the Town and Country Planning Act 1990 (as amended) goes on to clarify that express planning consent for a structure is not required where its primary purpose is to display advertisements. Notwithstanding, this is subject to the advert itself obtaining express consent.

7.6 The subterranean works included within the proposals are also considered to comply with the above Section 222.

7.7 Amenity and Public Safety

- 7.8 Policy ENV 1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals should ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area. Policy ENV 2 also seeks to ensure that proposals create safe environments addressing crime prevention and community safety. Policy ENV 3 seeks to ensure that the size, design, colour and number of any advertisements or signs respects the character, scale, design and location of the building and shop front on which is being displayed, as well as the street scene and the character of the area in which they are sited.
- 7.9 Policy ENV 11 of the ECDC Local Plan 2015 requires that proposed development within a Conservation Area be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. Policy ENV 12 of the ECDC Local Plan 2015 makes clear that proposals that affect a Listed Building will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset.
- 7.10 Policy COM 7 of the ECDC Local Plan 2015 requires that proposals provide safe and convenient access to the highway network, as well as protecting existing rights of way, giving priority for walking and cycling.
- 7.11 The Ely Conservation Area Appraisal identifies a number of character areas within the Ely Conservation Area and their defining characteristics, as well as important architectural and heritage features, sensitivities and views. The appraisal will be referenced where relevant within this report.
- 7.12 The Design Guide SPD does not specifically address advertisements, but emphasises the need for all development to give consideration to highway safety and crime prevention, as well as heritage and amenity.
- 7.13 Chapters 12 and 16 of the NPPF seeks to ensure high quality development which respects, enhances and conserves the character and appearance of an area and heritage assets and their settings.
- 7.14 Section 16 of the NPPF (Paragraphs 194 – 202) also seeks to ensure that heritage assets are conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 202 of the NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.15 Chapter 15 of the NPPF sets out that planning decisions should seek to mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.

- 7.16 An assessment of the amenity and public safety impacts of each of the proposed advertisements is set out below.
- 7.17 Forehill Car Park
- 7.18 **Amenity** – The proposed advertisements will replace an existing TIP board at the entrance to Three Cups Walk within the existing car park and is to be located next to a pedestrian footpath. The proposed advertisement would be seen within the context of existing functional infrastructure and street furniture including a salt bin and numerous highway and car-park related signs. Whilst within a Conservation Area, the proposed advertisement is therefore considered to be located in an area with low heritage and townscape sensitivity. There are no listed buildings, structures or monuments nearby the advertisement which are considered to be affected by the proposals. There is a TPO tree nearby the existing TIP at the entrance to Three Cups Walk, but considering that the proposed advertisement would be constructed within the existing hard surfacing within the car park, the impact of the proposed advertisement upon the tree is considered to be minimal.
- 7.19 The proposed advertisement would result in a noticeable change for pedestrians utilising the footpath, given that the advertisement is of a larger scale than the existing TIP board and would be illuminated. Notwithstanding, the character of the application site is considered to be dominated by the presence of the car park and the functional infrastructure it contains. For this reason, and given that the proposal would replace the existing TIP board, the introduction of the advertisement in this location is not considered to result in a significant change or harm to the setting or significance of the Conservation Area, and would not be out of keeping with the character and appearance of the area. The proposed advertisement would not be prominent in views from the streets surrounding the car park given it siting set back significantly within the car park itself. The Conservation Officer has raised no specific objection to the proposed advertisement in this location.
- 7.20 It is considered that the introduction of the proposed advertisement in this location is also logical, functional and not unexpected, as the car park itself will represent the starting point for a number of journeys throughout the city and is a popular and central location. The proposed advertisement in this location, providing wayfinding and tourism information, would therefore be useful.
- 7.21 The proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², but would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have a greater visual amenity impact if not controlled. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.22 There are no nearby residential properties that would detrimentally be impacted by the proposed advertisement.
- 7.23 For these reasons, the visual and aural amenity of the proposed advertisement is considered to result in no harm to the significance or setting of the Conservation

Area or the character and appearance of the area, or the residential amenity of nearby occupiers. The proposed advertisement is therefore considered to comply with Policies ENV 1, ENV 2, ENV 3 and ENV 11 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.

- 7.24 **Public Safety** – The Local Highways Authority have raised no objections to the proposal. The LHA have queried the luminance of the proposed advertisement under the application. On the basis of the LHA comments under LPA Ref. 21/01280/ADI (for Phase 1 of the digital advertisements – approved at the December 2021 Planning Committee), the LHA concluded that the proposed advertisement would be acceptable subject to the advertisement being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below).
- 7.25 The Access Group have raised queries over the accessibility of the proposals for wheelchair users. These concerns were not raised by the Access Group under LPA Ref. 21/01280/ADI, which has since been approved by the LPA. The Applicant will however be made aware of the Access Group’s comments by way of an informative.
- 7.26 The advertisement would not block the view of CCTV cameras to ensure the effectiveness of crime prevention and detection measures is not diminished.
- 7.27 For these reasons, the proposal is not considered to result in unacceptable public safety concerns and would comply with Policies ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.28 St Mary’s Street Bus Stop
- 7.29 **Amenity** – The proposed advertisement would be located further south than the existing TIP, which lies in front of Oliver Cromwell’s House (Grade II* Listed Building), and would be located along the southern side of the existing bus stop along St Mary’ Street. The proposed advertisement is also located in front of Grade II Listed Alms Houses. The immediate application site is characterised by the bus stop itself and functional surrounding infrastructure, including lamp posts and utility boxes; these are considered to be a prominent feature along St Mary’s Street. Whilst the site is sited away from St Mary’s Green, noted within the Ely Conservation Area appraisal as being an important open space, it is still seen in the context of the green and Oliver Cromwell’s house. The application site is open in its character, given the widening of St Mary’s Street and the presence of the green; this means that the application site itself is highly visible in public views, albeit the prominence of the application site is lessened by the functional infrastructure which provides visually competing and prominent structures in an otherwise uncluttered street-scene. For these reasons, the application site is considered to have a high heritage sensitivity and a low townscape sensitivity.
- 7.30 The contemporary design, darker colour of the outer shell of the advertisement and white lettering are not considered to be inherently harmful in this location. Nevertheless, the scale of the proposed advertisement is considered to result in a prominent form of development within the Conservation Area and street-scene.

The illumination of the advertisement and the proposed large screen, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structure within the street-scene, within which illumination and digital adverts have been controlled. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area and in proximity to listed buildings.

- 7.31 The proposed advertisement is not however considered to impinge significantly upon the setting or significance of the nearby heritage assets. Whilst visible in views of the listed buildings and conservation area, the proposed advertisement would be seen in the context of and screened to a degree by the existing bus stop along St Mary's Street and surrounding functional infrastructure. Albeit illuminated, the physical introduction of the proposed advertisement in this location is not considered to result in a significantly altered street-scene along St Mary's Street. This is particularly so when the application site is viewed from the north, given that the existing bus stop would screen a significant portion of the proposed advertisement from view. The advertisement would also be single sided with the screen facing south, meaning that its illumination would be facing away from the more sensitive heritage asset of Oliver Cromwell's house as well as the green. The proposed advertisement would also remove the existing TIP from its prominent location in front of Oliver Cromwell's house, and this is considered to be a significant benefit to the proposals.
- 7.32 Whilst the proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², it would be dimmed to a maximum of 600cd/m² during the night time (see 'Luminance Condition' section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity and heritage impact if not controlled in this more sensitive heritage setting. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.33 There are no residential dwellings nearby the application site which would be detrimentally impacted by the proposed advertisements in terms of residential amenity in this location.
- 7.34 Despite the above, it is considered that the introduction of the advertisement in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given its location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.35 The proposed advertisements submitted under this application (and the Phase I application 21/01280/ADI) are intended to provide tourist and wayfinding information, and must therefore be sited in locations typically expected to experience high levels of footfall. The proposals replace existing TIPs for this reason. The proposed advertisements will form part of a cohesive wayfinding scheme to aid tourists and locals alike throughout the city, by providing what are intended to be interactive tourist information points in critical tourist locations. The improvement of wayfinding throughout the city, as well as educational information

about the city itself, is considered to provide social and economic benefits for the city. These public benefits are considered to justify and outweigh the less than substantial harm identified. The removal of the prominent TIP in front of Oliver Cromwell's house is also considered to provide a further benefit to outweigh the identified harm.

- 7.36 For these reasons, whilst the proposal is considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore, on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.37 **Public Safety** – The Local Highways Authority have raised no objections to the proposal. The LHA have queried the luminance of the proposed advertisement under the application. On the basis of the LHA comments under LPA Ref. 21/01280/ADI (for Phase 1 of the digital advertisements – approved at the December 2021 Planning Committee), the LHA concluded that the proposed advertisement would be acceptable subject to the advertisement being dimmed to no more than 600cd/m² during night time hours (see 'Luminance Condition' section below).
- 7.38 The Access Group have raised queries over the accessibility of the proposals for wheelchair users. These concerns were not raised by the Access Group under LPA Ref. 21/01280/ADI, which has since been approved by the LPA. The Applicant will however be made aware of the Access Group's comments by way of an informative.
- 7.39 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.
- 7.40 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policies ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.41 72 Market Street
- 7.42 **Amenity** – The proposed advertisement would be located along the external wall of No.72 Market Street (a locally important building), which runs past the entrance to the Ely Museum (Grade II Listed Building) and parallel to a pedestrian walk way through the Council's rear car park. The proposed advertisement would comprise a wall-mounted module, and would be located next to an existing bin. The scale of the entrance courtyard to the Ely Museum, its chamfered edge and the gap between the museum and No.72 Market Street means that the application site is visible in public views when viewed from the west and south along Market Street, as well as from within the Council's car park itself. The application site is not visible when viewed from the east. However, the application site, whilst visible, is not considered to be prominent within the Market Street street-scape, given its siting

off of the main street. The application site is therefore considered to have a medium heritage sensitivity and a low townscape sensitivity.

- 7.43 The contemporary design, darker colour of the outer shell of the advertisement and white lettering are not considered to be inherently harmful in this location. Nevertheless, the scale of the proposed advertisement is considered to result in a prominent form of development within the Conservation Area and street-scene. The illumination of the advertisement and the proposed large screen, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structure within the street-scene, within which illumination and digital adverts have been controlled. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area.
- 7.44 The proposed advertisement is not however considered to impinge significantly upon the setting or significance of the nearby heritage assets, or result in a significantly altered street-scene along Market Street. Whilst the application site itself is generally uncluttered, the proposed advertisement would be seen in the context of the existing Council car park, as well as the shops and functional infrastructure along Market Street itself, which will compete visually with the application site. The minimalistic design of the wall-mounted structure is also considered to reduce the overall prominence and visual bulk of the proposed advertisement. It is considered that the introduction of the proposed advertisement in this location is also logical, functional and not unexpected, as the Council car park and pedestrian walk way are popular pedestrian routes which will represent the starting point for a number of journeys throughout the city and is a popular and central location. The proposed advertisement in this location, providing wayfinding and tourism information, would therefore be useful.
- 7.45 Whilst the proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², it would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity and heritage impact if not controlled in this more sensitive heritage setting. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.46 There are no residential dwellings nearby the application site which would be detrimentally impacted by the proposed advertisements in terms of residential amenity in this location.
- 7.47 Despite the above, it is considered that the introduction of the advertisement in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given its location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.

- 7.48 As set out above, the proposals are considered to deliver a social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network.
- 7.49 For these reasons, whilst the proposal is considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore, on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.50 **Public Safety** – The Local Highways Authority have raised no objections to the proposal. The LHA have queried the luminance of the proposed advertisement under the application. On the basis of the LHA comments under LPA Ref. 21/01280/ADI (for Phase 1 of the digital advertisements – approved at the December 2021 Planning Committee), the LHA concluded that the proposed advertisement would be acceptable subject to the advertisement being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below).
- 7.51 The Access Group have raised queries over the accessibility of the proposals for wheelchair users. These concerns were not raised by the Access Group under LPA Ref. 21/01280/ADI, which has since been approved by the LPA. The Applicant will however be made aware of the Access Group’s comments by way of an informative.
- 7.52 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.
- 7.53 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policies ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.54 Luminance Condition
- 7.55 The application proposals will be subject to a luminance condition, restricting the luminance of the proposed advertisements during the night time. This is considered necessary for the reasons provided above to limit visual and heritage impacts, in the interests of residential amenity and in the interests of highway safety.
- 7.56 The maximum brightness of the proposed advertisements is 2,500cd/m². This is approximately 10x brighter than a standard domestic television, and is necessary in outdoor environments to ensure the screens are visible even with glare from the sun.
- 7.57 The Environmental Health Officer has not raised any objections to the proposed brightness of the screens, subject to these being dimmed during the night time. The Local Highways Authority have also raised no objections to the proposed

luminance of the proposed advertisements, and upon considering the LHA's comments under LPA ref. 21/01280/ADI (Phase 1 of the digital screens), it was recommended that the screens be no brighter than 600cd/m2 during the night in the interests of highway safety.

- 7.58 Given that the UK experiences both Greenwich Mean time (GMT) and British Summer Time (BST), the times of darkness can vary drastically during these periods. Times of darkness can also vary between the two solstices and equinoxes. As the proposed advertisements would be active 24 hours a day, any planning condition limiting luminance must take heed of the above changes in daylight to ensure that, with the changing seasons, the brightness of the advertisements is not unduly prominent during hours of darkness.
- 7.59 During GMT (the end of October to the following end of March) each year, the sun can typically rise as late as 8:00am and set as early as 16:00pm. Whilst the sun will begin to rise earlier and set later towards March, as a worst-case scenario, it is considered that the advertisements should be dimmed to a maximum of 600cd/m2 between the hours of 16:00-08:00 across these months.
- 7.60 During BST (the beginning of April to the end of October) each year, the sun can typically rise as late as 07:00am and set as early 18:30pm. Whilst the sun will rise much sooner and set much later throughout BST, particularly in peak summer, as a worst case scenario, it is considered that the advertisements should be dimmed to a maximum of 600cd/m2 between the hours of 18:30-07:00 across these months.
- 7.61 Members are reminded that GMT and BST are unlikely to fall on exactly the same day year to year, as the clock changes take place on the last Sunday of the October and March each year respectively. To account for this variance, the conditions are proposed reflect the following dates and times:
- 1st October to 31st March – advertisements shall be dimmed between 16:00 to 08:00
- 1st April to 30th September – advertisements shall be dimmed between 18:30 to 07:00
- 7.62 The above dates account for the variance in GMT and BST, as well as being specific and not unduly complex.
- 7.63 The Environmental Health Officer has accepted the above dates, times and luminance as being acceptable in the proposed three locations and conditions are recommended to reflect these luminance times.
- 7.64 Time Limit
- 7.65 Given the scale and nature of the proposals, the traditional five-year consent period is considered to be unreasonable. The Applicant has sought consent for 30 years. This is considered to be excessive, and would not be in the best interests of protecting amenity and public safety. It is nevertheless considered that a 10-year consent would be reasonable, and should the Applicant wish to retain the

advertisements after this period, the proposals can be re-assessed as part of a new submission prior to the expiration of the original consent.

7.66 Planning Balance

7.67 The advertisement proposals include the installation of three illuminated digital advertisements, to be located throughout the city. A proportion of the proposed advertisements would result in less than substantial harm to the character and appearance of the area, the setting and significance of the Conservation Area and nearby heritage assets. Notwithstanding, the social and economic public benefits of the proposals in providing a cohesive wayfinding and tourism information network are considered to outweigh the harm identified in accordance with Paragraph 202 of the NPPF. For the reasons set out within this report, the proposals are considered to comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.

7.68 The proposals are therefore recommended for approval.

8.0 APPENDICES

8.1 Appendix 1 – Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/01487/ADI	Holly Chapman Room No. 011 The Grange Ely	Holly Chapman Planning Officer 01353 665555 holly.chapman@eastcambs.gov.uk
21/01280/ADI		
76/00517/LBC		
76/00518/FUL		
76/00519/FUL		
77/00098/LBC		

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

Ely Conservation Area Appraisal -

<https://www.eastcambs.gov.uk/sites/default/files/Ely%20Final%20Copy.pdf>

APPENDIX 1 - 21/01487/ADI Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Forehill Car Park		5th November 2021
St Marys Street Bus Stop		5th November 2021
72 Market Street		5th November 2021
Double sided 55 Totem		5th November 2021
Single sided 55 Totem		5th November 2021
Wall mounted 49 digital screen		5th November 2021
Wayfaring _ Digital Signage Overview Rev B		17th December 2021

- 1 Reason: To define the scope and extent of this permission.
- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 2 Reason: To comply with the statutory provisions of the Advertisement Regulations.
- 3 No advertisement shall be sited or displayed so as to:
 - a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)
 - b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air: or
 - c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 3 Reason: In the interests of highway safety, in accordance with policies COM7 of the East Cambridgeshire Local Plan 2015.
- 4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 4 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- 5 Reason: To ensure the safety and amenity of the public and in the interests of highway safety in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.
- 6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- 6 Reason: To ensure the safety and amenity of the public, in the interests of highway safety and safeguard the character and appearance of the area in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.

- 7 The consent expires 10 years from the date of this permission
- 7 Reason: To comply with the statutory provisions of the Advertisement Regulations in the interests of highway safety and visual amenity.
- 8 The existing Tourism Information Points at Forehill Car Park (1x) and St Mary's Street/Green (1x) shall be removed from the site within 28 days of the installation of the advertisements hereby approved in these locations.
- 8 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 9 Between the 1st October to 31st March in any given year, the advertisements hereby permitted shall be illuminated to a maximum of 600cd/m2 between the hours of 16:00 to 08:00.
- 9 Reason: In the interests of highway safety and to safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Buildings, in accordance with policies ENV2, ENV11, ENV12 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 10 Between the 1st April to 30th September in any given year, the advertisements hereby permitted shall be illuminated to a maximum of 600cd/m2 between the hours of 18:30 to 07:00.
- 10 Reason: In the interests of highway safety and to safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Buildings, in accordance with policies ENV2, ENV11, ENV12 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 11 The advertisements hereby permitted shall not emit any noise.
- 11 Reason: To safeguard residential and public aural amenity, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

Planning Performance – November 2021

Planning will report a summary of performance. This will be for the month before last month, as this allows for all applications to be validated and gives a true representation.

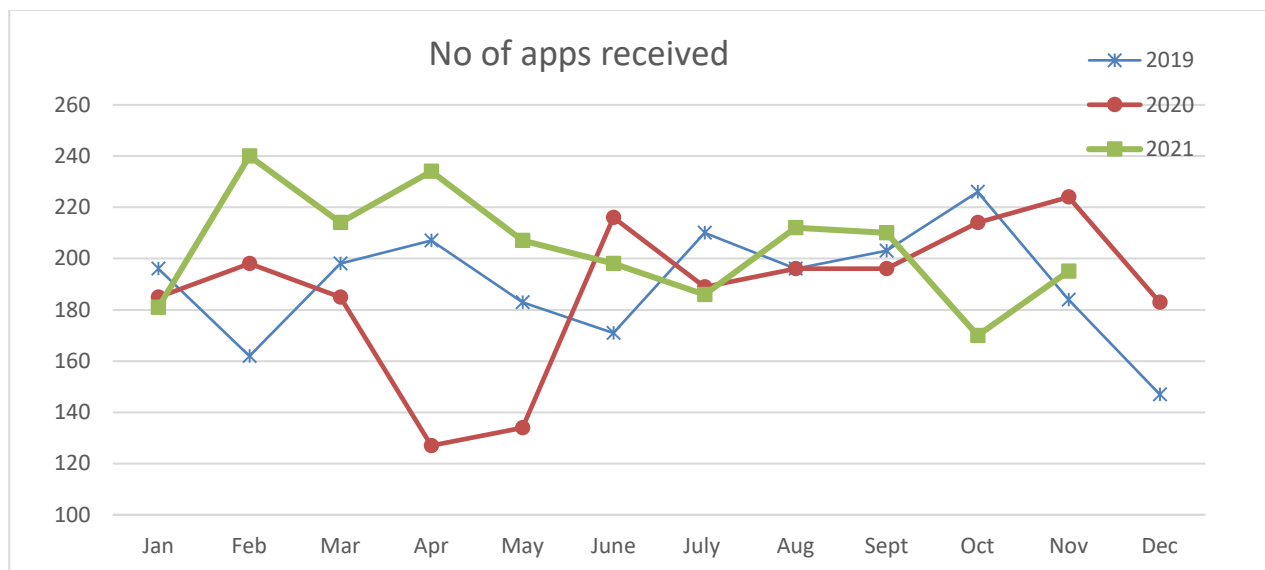
All figures include all types of planning applications.

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
Validation	163	2	33	44	12	35	37
Validated within 5 days (%)	91%	(ECDC target of 75%)					
Determinations	200	1	29	63	18	29	60
Determined on time (%)		100% (90% within 13 weeks)	90% (80% within 8 weeks)	100% (90% within 8 weeks)	100% (90% within 8 weeks)	76% (80% within 8 weeks)	100% (100% within 8 weeks)
Approved	191	1	25	62	18	28	57
Refused	9	0	4	1	0	1	3

Open Cases by Team (as at 20/12/2021)							
Team 1 (3.8 FTE)	141	12	40	12	21	56	0
Team 2 (4 FTE)	140	17	46	27	14	36	0
Team 3 (4 FTE)	171	10	35	36	35	60	0
No Team (3 FTE)	74	8	4	0	3	16	43

No Team includes – Trees Officer, Conservation Officer and Agency Worker

The Planning department received a total of 195 applications during November which is an 13% decrease of number received during November 2020 (224) and 15% increase to the number received during October 2021 (170).



Valid Appeals received – 8

Planning reference	Site Address	Decision Level
20/00996/OUM	Land South Of 18 Wilburton Road Haddenham	Committee
20/01746/FUL	Garage Block Adjacent To 5 Willow Walk Ely	Delegated
21/00337/FUL	150 Station Road Dullingham Newmarket	Delegated
21/00412/FUL	Land To South Of 25 Pymoor Lane Pymoor	Committee
21/00772/CLE	Twentypence Marina Twentypence Road Wilburton	Delegated
21/00794/FUL	14 The Avenue Burwell	Committee
21/01110/FUL	The High Flyer 69 Newnham Street Ely	Delegated
ENFORCEMENT	150 Station Road Dullingham Newmarket	

Appeals decided – 7

Planning reference	Site address	Decision Level	Appeal Outcome
20/01544/FUL	14 West Lodge Lane Sutton	Committee	Dismissed
20/01549/FUL	32 Matthew Wren Close Little Downham	Delegated	Allow
21/00355/FUL	16 Upton Place Littleport Ely	Delegated	Allow
21/00689/FUL	Otterbush Farm The Hythe Little Downham	Delegated	Allow
21/00697/FUL	6 Isinglass Close Newmarket	Delegated	Allow
21/00921/FUL	8A Perry Close Haddenham	Delegated	Dismissed
21/00977/FUL	6 Isinglass Close Newmarket	Delegated	Allow

Upcoming Hearing dates – 1

Planning reference	Site address	Decision Level	Hearing date
18/00955/FUL	Site South Of 10 Narrabeen Park Whitecross Road Wilburton	Delegated	04/05/2022

Upcoming Public Inquiry Dates – 2

Planning reference	Site address	Decision Level	Inquiry First date	Inquiry Last date
19/00717/OUM	Broad Piece Soham	Committee	11/01/2022	18/01/2022
20/00296/OUM	Land Rear of 163 to 187 High Street Bottisham	Committee	25/01/2022	03/02/2022

Both Inquiries are to be held as virtual events and a webpage has been created to provide all relevant information (<https://www.eastcambs.gov.uk/planning/appeal-inquiries-0>)

Enforcement

New Complaints registered – 25 (6 Proactive)

Cases closed – 22 (0 Proactive)

Open cases/officer (2.6FTE) – 189 cases (7 Proactive)/2.6 = 73 per FTE

Notices served – 1

Notice Type	Site address	Date Served
Enforcement Notice	Land Parcel To The North Of Guildacre Mill Hill Little Downham	10/11/2021
Enforcement Notice	1 Mount Pleasant Cottages 68 Main Street Pymoor	24/11/2021

Comparison of Enforcement complaints received during November

Code	Description	2020	2021
ADVERT	Reports of unauthorised adverts	1	1
COND	Reports of breaches of planning conditions	6	5
CONSRV	Reports of unauthorised works in a Conservation Area	0	0
DEM	Reports of unauthorised demolition in a Conservation Area	0	0
HEDGE	High Hedge complaints dealt with under the Anti-Social Behaviour Act	0	0
LISTED	Reports of unauthorised works to a Listed Building	0	0
OP	Reports of operational development, such as building or engineering works	7	8
OTHER	Reports of activities that may not constitute development, such as the siting of a mobile home	0	0
PLAN	Reports that a development is not being built in accordance with approved plans	2	1
PRO	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	1	7
UNTIDY	Reports of untidy land or buildings harming the visual amenity	3	0
USE	Reports of the change of use of land or buildings	3	3
TOTAL		23	25