



East Cambridgeshire District Council

Minutes of a Meeting of the Planning Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 2:00pm on
Wednesday 4 September 2024

Present:

Cllr Chika Akinwale
Cllr Christine Ambrose Smith
Cllr David Brown (Vice Chair)
Cllr Martin Goodearl
Cllr Keith Horgan (substitute for Cllr Lavinia Edwards)
Cllr Bill Hunt (Chair)
Cllr Alan Sharp
Cllr John Trapp
Cllr Ross Trent
Cllr Christine Whelan
Cllr Gareth Wilson

Officers:

Holly Durrant – Senior Planning Officer
Catherine Looper – Major Projects Officer
Leah Mickleborough – Interim Senior Democratic Services Officer
David Morren – Interim Planning Manager
Cameron Overton – Trainee Democratic Services Officer
Angela Tyrrell – Senior Legal Assistant

In attendance:

Alex McDonnell (Public Speaker, Agenda Item 5)
Sarah-Jane Stebbing (Applicant (Agent), Agenda Item 5)
Chris Frost (Applicant (Agent), Agenda Item 6)

4 other members of the public

Lucy Flintham – Development Services Office Team Leader
Sarah Parisi – Development Services Senior Support Officer
Melanie Wright – Communications Officer

29. Apologies and Substitutions.

Apologies for absence were received from Cllr Lavinia Edwards, who was substituted by Cllr Keith Horgan.

30. Declarations of Interests.

Cllr Sharp declared a prejudicial interest on Item 5. He indicated that he would speak as a ward member before leaving the room until the end of the Item.

31. Minutes.

Members received the minutes of the meeting held on 7th August 2024.

It was resolved unanimously:

That the minutes of the Planning Committee meeting held on 7th August 2024 be confirmed as a correct record and be signed by the Chair.

32. Chairs Announcements.

The Chair welcomed Cllr Alan Sharp to the Planning Committee as a full Member.

The Chair wished every luck to Toni Hylton and Andrew Phillips, who had left East Cambridgeshire District Council. He commended and thanked them both on their various and lengthy contributions to the Planning Committee.

33. 23/00450/FUL – Site to West of 10-20 Sheriffs Court Burrough Green, Suffolk

Catherine Looper, Major Projects Officer, presented a report (Z50, previously circulated) recommending approval of an application seeking full planning approval to carry out part retrospective construction of five 1.5 storey detached dwellings with detached garages.

The Major Projects Officer presented Members with slides showing the location, outlining the proposal and associated photos. The Major Projects Officer informed Members that the application proposed changes to the previously approved scheme, such as alterations in elevation and obscuring of various windows.

The main considerations for this application were deemed to be:

- **Principle of Development** – The original outline application was approved in August 2019 and subsequent reserved matters in September 2020. Works had commenced on the site and the purpose of this application was to seek part retrospective planning approval for an altered scheme. It broadly followed the previously approved scheme. Alterations

to the design and increases in scale to some of the dwellings were proposed.

- **Residential Amenity** – The introduction of obscured glazing to prevent overlooking onto neighbouring plots. General layout and arrangement remained similar to the approved scheme. The footprint of dwellings were comparable to previous schemes with no reduction in distance to neighbouring plots when compared to the previous scheme. Increase to the height of dwellings was not significant enough to impose on the amenity of neighbours. It was possible to impose conditions on the extensions of dwellings to allow the Local Planning Authority to fully assess any future proposals. The applicant had agreed a construction environmental management plan with Environmental Health.
- **Visual Amenity & Heritage** – The applicant was seeking Hemspan Biohaus construction, which is comparable to Passivhaus construction. The proposed increases in height to the dwellings was considered to be acceptable. The surrounding buildings were mostly 2 storeys in height, and the designs were in keeping with a countryside setting. The Council's Trees Officer did raise concern with the tree species proposed in the scheme, therefore this was recommended to be made subject to condition.
- **Highways** – The access proposed was previously agreed and this remained unchanged. This scheme provided parking arrangements in excess of those required under policy COM8 of the Local Plan 2015, with a minimum of four external parking spaces shown for each plot.
- **Ecology** – An ecology report noted that it was an active construction site and so further surveys were required to complete an impact assessment for Great Crested Newts. The proposed scheme was submitted prior to mandatory Biodiversity Net Gain legislation coming into effect. To secure biodiversity net gain, the applicant was securing the purchase of biodiversity credits totalling 2.45 units, which exceeded the 1.94 units suggested.
- **Flood Risk and Drainage** – The development was in flood zone 1, meaning that the principle of development was acceptable for flood risk. Surface water concern would be finalised and assessed at building control stage and therefore did not influence the planning decision.

In summary, Members were recommended to approve the application, subject to the conditions set out in appendix 1 of the report.

The Chair invited Cameron Overton, Trainee Democratic Services Officer, to read out two statements which were sent in:

Statement from Mrs Carla Nicholson – “Pure Eco Homes and Hemspan had planning approved for 5 single storey bungalows, but always intended to build 1.5 storey, million pound plus houses on this site. So, they did. They then applied for retrospective planning permission once development had

commenced, thinking that they could ride roughshod over the planning rules and more importantly, over the local community. This unfortunately has been the developer's arrogant attitude from the start.

My main objection is regarding the destruction of the natural environment. They have ripped up hedgerows, felled trees and dug up the land outside of the boundary destroying the local habitat. Long gone are the foxes, deer, newts and barn owls that were a daily sight on this land. Calling their homes 'eco' leaves a sour taste for local residents when their motivation is greed and profiteering.

This retrospective, 'we're going to build it anyway' planning application sets an awful precedent for future development in Burrough Green. The land to the south of the site is also owned by this developer for 9 further properties to be built. What will happen next? 3 storey townhouses? A block of flats? If they get away with it this time, they will do it again. More greed, more habitat loss and no care for the impact on the small, rural community of Burrough Green."

Statement from Mr Simon Finch – "the land in the then planning area adjacent to 1 Church Lane has been significantly built up to the point where anyone standing on the ground in the new planning area can see straight over our existing 6-foot fence into our garden and conservatory. The land is now 4-foot higher and sloping down to our land so I am expecting that during a heavy rain shower it will now flood our garden. I assume that you will get them to lower the land back to where it was, the same height as our land. The verge along Sheriffs Court Road has also been significantly damaged by the sites lorries which I assume you will make them repair."

The Chair then invited Alex McDonnell to speak, using the remaining 3 minutes of the 5 minutes afforded to the objector group.

"I live with my family at Hall Lodge, Church Lane. The property currently at plot five of the development spans the entire back fence of our garden and is now parallel to it. Its approximately 2 metres from our back fence. We provided photographs of our objection to the retrospective application, which demonstrated the proximity of the property. Our garden is wide and shallow and so the property is very close to ours. Given its position, the increased height of the current house has a significant adverse impact on our property. It overshadows, it is overbearing, and it provides a greater sense of enclosure than the single storey house for which the permission has been granted. We recognise we don't have a right to review, that's not the focus of our objection. We've read the Planning Committee's recommendations and have made the following comments: throughout the Planning Committee document, references are made to the height increase of circa 1 metre and there's zero mention of the changed angles of the houses. Even a cursory review of the plans demonstrates its more likely 1.5 metres and perhaps slightly higher. Its

telling that the revised plans don't state what the original height of the building was going to be. Even if it was just 1.5 metres, that's a third of a gain higher than the original granted permission – as mentioned, the new height of the buildings are over 6.5 metres, the average height of a 2-storey house is between 5.5 and 7 metres. These are now clearly and effectively 2 storey houses. It is very concerning that throughout the Planning Committee document, there's not one mention of the fact that these houses have been built in breach of the planning permission. Not one criticism of a developer who obtained planning permission for single storey properties, entirely ignored that permission and has instead built 2 storey properties. We are concerned the Council has not considered properly the fact that they have allowed the developer to breach its permission. There was a reason single storey houses were applied for and on appeal subsequently approved – simply put: planning permission would never have been granted for the current properties, as built, if it would have been, no doubt that application would have been made back in 2018. It wasn't. Other than the fact that the building work has now commenced at the developer's own risk, nothing has changed. So, it is not clear why the retrospective planning application would, or should, be granted now. There's no indication anywhere in the documentation about why now it is considered that these buildings are appropriate. Perhaps most importantly, we've been very surprised by the apparent lack of legal guidance or involvement in this matter. We've been informed the Council did not seek to stop the progression of the development, despite it clearly being conducted in breach of planning permission because it considered that if the developers suffered losses, it might then claim them the Council. I don't need a wife, who's a senior litigation partner to tell me that's simply not correct. The only way there might have been a risk, would have been if there was some uncertainty as to whether the developer had permission to complete the build. This is not the case here. Given the apparent lack of legal input, we'd like to understand, to what extent the Council has consulted lawyers to consider this retrospective application, if at all. The fact that the Council was alerted to the issue a year ago and did nothing about it is extremely concerning. We, perhaps, expect developers to breach the rules, but the Council act as a cheque and balance to that. To us, it has failed to perform its role adequately and follow the proper process and it continues to seem reluctant to hold the developer to account.”

The Chair informed Mr McDonnell that he had gone over the time and encouraged him to promptly finish his statement.

Mr McDonnell continued: “after we raised concerns about the second storey window, which would have been directly overlooking our property, the developer removed the window from the plans, however, given that the planning portal has not proved to be a reliable or up-to-date record, we do need it confirmed today that the window does not form part of the current

plans. And that planning consent would be required for any such window to be introduced in the future into perpetuity. Thank you.”

The Chair invited Members to put questions to Mr McDonnell.

Mr McDonnell confirmed the location of his property in relation to the site plan when asked by Cllr Wilson.

The Major Projects Officer conferred with speaker as to which window he had referred to in his statement.

The Chair invited the applicant’s agent to speak and gave notice that they would be given an extra 30 seconds, in line with the excess time afforded to the objectors’ group.

Sarah-Jane Stebbing, agent: “Thank you Chair, and thank you to the planning officer for setting out the scheme so comprehensively.

I want to take this opportunity to say how pleased we are to be here today so that we can present to you the current proposals and explain the design approach that underpins this scheme.

For clarity, I want to say that this planning application was submitted in April 2023, so it’s been a long time coming to this point.

These proposals are for 5 dwellings, that will meet the highest of environmental standards.

This is achieved by the adoption of market-leading high-performance construction methods, sustainable materials and the latest carbon reduction technology, to create sustainable homes that go beyond zero; set within an enriched high quality biodiversity landscape environment to provide a new development of the highest quality, in Borough Green.

The dwellings are being constructed using Hemspan’s innovative BIOHAUS system. This is a new concept, which has only featured in a handful of developments worldwide.

The BIOHAUS standard for design incorporates an offsite manufactured panel system, which is used alongside a series of other significant eco measures, including solar shading, breathable construction materials to take the development beyond net zero. It is a holistic whole house and whole life cycle approach that is pioneering in the housing and construction industry.

This is not lip service; it is reflected by the predicted energy performance ratings for each dwelling. These are submitted as part of supporting documents with this application. Every dwelling exceeds 100 – the top of the current scale – for both energy efficiency and environmental impact.

This is possible because, the current proposals, have been informed on every level with this exceptional benchmark for sustainability in mind.

The plot layout and orientation has been set out to optimise natural light, whilst avoiding overheating in summer and ensure that each dwelling benefits

from natural ventilation, whilst respecting the surrounding neighbouring buildings privacy and amenity.

The site levels have not changed.

It is this environmental performance that is the design driver behind the distinctive architectural form and appearance of the development, with its roofscape created by the extended overhang creating the perimeter canopy around each dwelling.

The eaves of the canopy is modestly set at a height of 2.2m, just above a standard door. The ridge line of each dwelling is the result of the intersection of the roof planes. Whilst there is a modest increase in the height, compared to the extant consent, it is within 1m, which the drawings reflect, and within the outline of the chimney stacks from the previous scheme. It continues to be commensurate to the surrounding buildings north of the site and subservient to the two storey dwellings east of the site on Sheriffs Court.

The proposals make use in part of the resulting roof space to provide a limited amount of accommodation in the attic space.

This has been carefully placed to avoid overlooking of the proximate neighbouring properties and is limited to the part of the footprint that faces into the site. These rooms are lit with high level rooflights, with no potential overlooking, supplemented with fixed windows in the gable ends, obscured where appropriate.

The open plan kitchen and living space, at the rear of the dwellings, where the relationship with neighbouring amenity spaces is most proximate is always single storey.

During this application, we have engaged proactively with your planning officers to amend the design proposals to address any concerns about any potential impact on neighbouring amenity.

Plot 1, which has the most direct relationship with a neighbouring building has been revised to increase the distance between the building line and the east boundary of Sheriffs Court. It is now further away from the boundary than the previously approved scheme. There are no high-level windows on this gable and the overall glazing is also no greater than the previously approved scheme.

Plot 2 has a high-level window in the gable end of the single storey living space. To address the potential perceived overlooking it is proposed that this is fixed and obscured.

The relationship to the boundary has not changed and the current proposal has substantially less glazing than the previous scheme which featured a fully glazed gable end. This reduces light pollution and mitigates impact on neighbouring amenity.

On plot 5, I can confirm that the first-floor window to the north elevation, was omitted. This room, which serves as a home office space, is served by rooflights at high level, looking west, with no potential for overlooking.

As with plot 2 the high-level window in the single storey living space will be fixed and obscured.

The roofscape of the development enables the dwellings to harness and harvest energy on site through integrated solar panels. Each dwelling's array is designed to generate more energy than is used over the course of the year, offering a potential of a 75% reduction in energy running costs.

As a local authority you have committed to delivering a cleaner, greener East Cambridgeshire and to work on initiatives to fight against the climate change emergency, support zero-carbon living and restoring wildlife spaces. As a local authority, you in East Cambridgeshire, are leading the way on this.

The applicant's ambition is to create beautiful, sustainable homes that go beyond zero. The application documents provide the evidence base to demonstrate that these proposals can deliver this and lead the way too.

These proposals are on target to not only reach but exceed the Royal Institute of British Architects (RIBA) 2030 targets for domestic housing.

This scheme can be an exemplar for new homes and the construction industry not simply another small-scale infill housing development that all stakeholders can take credit for.

Thank you for your time and consideration today."

The Chair invited Members questions to the agent.

Cllr Ambrose Smith asked if the whole house is sealed, with the air inside being recycled within the building. The agent informed her that there was a whole house ventilation system, but that the whole house was not sealed, and there were windows which open.

Cllr Ambrose Smith followed her question by asking if the properties would be marketed with a certification of validation for the BIOHAUS scheme. The agent confirmed that there would be an investigation into buildings technical performance, both at design and finalised construction stage, meaning that people will absolutely be able to buy these properties with a degree of certainty.

Cllr Trapp enquired as to why the applicant did not await approval before proceeding to build under changed parameters. The agent stated that when the work commenced, it was under the extant consent; and since they joined as the agent in November 2023, they had worked with the planning officers on the issues of moving Plot 1 and Plot 2.

The agent confirmed that work was commenced prior to receiving planning approval to have their permission changed, when asked by Cllr Trapp.

Cllr Akinwale asked if the previous speaker's concern on the overlooking window had been addressed. The agent informed the committee that it had been, as the North Elevation window in question had been removed.

Engaging with a question put to the agent by Cllr Horgan on the previous planning application's energy efficiency goals, relating to the implementation of Hemspan design, the Chair encouraged members to stay focused on the application at hand.

Cllr Horgan queried whether all windows above ground level were to utilise obscured glazing. The agent responded that all windows facing out were obscured, but others were not necessary to obscure because they overlooked the common areas or garages, and all windows had been assessed individually with the planning officers to determine this.

The Interim Planning Manager assisted in illustrating which windows would be obscured and which were not covered by the conditions.

Cllr Trent enquired if the additional height was necessary to make the new system of housing work. The agent stated that it was and that the houses were designed based on need for canopy, to ensure that the solar panels did not overheat.

The Chair invited Cllr Alan Sharp to address the committee.

"In my eight and a half years as the district councillor, the boundaries have changed, but I've represented Burrough Green for eight and a half years. I've never known a situation like this. I first became aware of it back in September 2023, as was mentioned, when a resident rang me and told me that building was being done without permissions. I did ask the previous Planning Manager to stop construction, unfortunately he decided not to agree with me. There is, and I think this is relevant, a lot of anger and distrust in the village at the moment because of an apparent disregard for planning permission – and it leads to the conspiracy theories about building the nine dwellings on the next-door plot, but I'll leave it there.

What was significant by what has just been said is, as I understand it from the applicant, the development was bought speculatively as a five-home scheme from the previous owners and is not of a similar bill to what the original application was given. So, it's totally different and it seems they've just gone ahead with putting that in now, straight away, rather than what the village felt, which was 'they've built one storey and they've now gone up to one and a half because part way through the development they thought that would be better'. So, I'm quite astounded by that.

Moving on to biodiversity: 48.85% loss. Part of that was because the whole of the site was cleared before the ecology report was done. Again, I can't find it, but I'm surprised there wasn't an ecology report on the original application – but if I've missed it (...). Damage to a sycamore tree, that was specifically asked, by the Trees Officer, to be left, which has just been knocked to bits by bulldozers. Yes, another one will be planted, but it shows the arrogance that

I'm feeling. Again, with biodiversity – the purchase of suitable units. I know it's the rules, but I don't like that. If we're having biodiversity, it should be on that site, it shouldn't be on another site. Tree landscaping: the Tree's Officer is not happy, and certainly from what I see in the papers, he's not written that this offer is going to be 100% acceptable. I know the Planning Officer has said this will be conditioned, but with the amount of time this application has taken, we should be getting all of this right in the first place.

The obscured glazing: if this application goes ahead, there should be a covenant preventing any future purchaser of these properties, actually going ahead and changing those windows. I don't know whether that can be done, because otherwise we have unacceptable overlooking.

The increased height: I have been in the gardens of one of the neighbours and yes, it does look a lot higher than the original application. It does look intrusive.

Moving on to the significant number of comments on the developers' behaviour: I know one of the public letters read out speaks about damage to verges and ditches, and I know officers quite rightly say that it's not a planning issue, but the village feel let down by that. The village feel that they're not being protected. The developer is not doing anything to win friends, I would suggest.

The other issue: the increased number of parking spaces to four spaces on each property. If we're trying to encourage sustainable development and compliance with NPPF, I would've thought there wouldn't be four spaces.

To summarise: obviously, this has got to be decided on planning rules, but if this does go through today, then the residents will feel very let down that the developer has been able to blatantly put two fingers up to the rules, with no consequences.

Thank you, Chair.”

The Chair invited question from Members to Cllr Sharp

Cllr Ambrose Smith noted her commendation for there being four parking spaces, as it allowed for larger families and prevented cramped living conditions, which may be found on estates where only 2 parking spaces are available.

The Chair invited Cllr Sharp to leave the room until the end of the item and moved to comments from the Planning Officers.

The Interim Planning Manager informed members that while he sympathised with resident's dismay, it is not an offence to commence construction before permission is granted and is done so entirely at the applicant's own risk. He

continued that while there had been mention of stop notices, such action should only be undertaken when serving a full enforcement notice at the same time.

The Interim Planning Manager asserted that the NPPF and case law was clear in not allowing consideration to be given to the thoughts nor actions of the developer and focus could only be given to the application in relation to local, or national, planning policy.

The Interim Planning Manager noted the previous mention of chimneys but commented that there was no logical grounding, in planning terms, to ask for them, whether they are appreciated or not.

The Major Projects Officer confirmed that the window mentioned by the objector on Plot 5 had been omitted from the most recent scheme.

The Major Projects Officer informed members that any development on the land south of the site would be likely be presented before committee, as it is outside of the development envelope.

Addressing concerns over biodiversity, the Major Projects Officer noted that the site was cleared prior to mandatory Biodiversity Net Gain legislation being enforced. Further to this, the applicant committed to provide 2.45 biodiversity units rather than the ecologist's recommendation of 1.95 units, at a higher cost to themselves.

The Major Projects Officer acknowledged the concerns of the Trees Officer, but informed members that the concern was minor and related to the location of fruit trees, given that falling fruit may have caused a slip hazard to residents.

To the point on the number of parking spaces, in relation to sustainability, the Major Projects Officer mentioned there was intent to implement electric vehicle charging docks adjoined to each dwelling.

On parking, the Interim Planning Manager reminded members that within the constitution, Policy COM8, there was no mention of a maximum number of parking spaces, but rather a minimum (2 for properties of this type).

The Chair invited Members questions to the Officers.

Cllr Trapp sought clarification whether the window in Plot 5 had been omitted from the plans, or if there was no window. The Interim Planning Manager confirmed that the window had been omitted from the plans and would not be present in the final construction.

Cllr Horgan queried if the decision on whether, or not, properties were overbearing was subjective or if there was guidance, i.e. the height of a building, in relation to distance from the neighbouring properties. The Major

Projects Officer informed him that there was no specific guidance – an assessment is made on site considering various measurements, particularly the height of a building against the height of a neighbouring property and distance in between.

When asked by Cllr Horgan, the Major Projects Officer confirmed that the rear elevation of Plot 1 was a single storey extension and was close to height of the overall property but had been set down by approximately 20-25cm.

Cllr Goodearl queried whether checks were carried out to ensure planning conditions were complied with. The Interim Planning Manager informed members that for the majority of developments, proactive checks were not feasible due to the strain on resources it would cause. However, for larger developments and/or developments which had been reported to The Council for potential non-compliance, checks are carried out.

The Chair invited Members to debate the issue.

Cllr Horgan noted the merits of the planning application and that overall, it is one he supported and proposed to approve. However, he strongly warned that conditions must be explicitly followed.

The Chair concurred with Cllr Horgan's comments and invited further debate.

Cllr Trapp acknowledged the merits of this application, but asserted all of which could have been achieved with single storey dwellings, as were the original plans. There had been, however, material changes which encroached on the neighbouring residents, therefore proposed refusal.

The Interim Planning Manager reminded members that if they were leaning towards refusal, then material planning reasons, applicable policies and detail of the harm caused must be provided for it to be permissible. The Chair indicated he would provide Cllr Trapp the opportunity to consider his reasons for refusal in light of the Interim Planning Manager's advice.

Cllr Ambrose Smith stated that she understood the objections and anger of neighbouring residents, and that the retrospective nature of this application was not desired. Despite this, Cllr Ambrose Smith felt that the developments were not overly intrusive and of a good design, she therefore seconded Cllr Horgan's proposal to approve.

The Chair confirmed with Cllr Horgan that he proposed approval on the recommendation of the officers, which was seconded by Cllr Ambrose Smith.

Cllr Goodearl noted the high standard of development, despite his concerns of the application being retrospective. He did, however, concede that due to legal constraints, they felt forced to approve, something which he felt ought to be reassessed nationally.

Cllr Wilson objected to the retrospective nature of the application, but stated that were the houses not already built, he would have no objection to approving this application.

Cllr Trapp queried if the application could be refused on grounds that the development had been made too high, which went against the original planning approval.

The Interim Planning Manager reiterated that material planning reasons including the policies which were breached and the impact of this on the residents must be provided.

Further discourse took place between Cllr Trapp and the Interim Planning Manager as to grounds for refusing the application. Whilst Cllr Trapp stated that he felt there was undue harm caused to residents as the application was not expected or as agreed, the Interim Planning Manager encouraged Cllr Trapp to clarify the explicit harm caused by the current proposals. Arising from this debate, no formal grounds for refusal were brought forwards.

The Chair noted a collective disappointment in the manner which this situation had occurred, but that this application must be considered on its own merit, as though it were a fresh application.

Upon query from Cllr Trapp, the Major Projects Officer clarified that conditions were in place to prevent the construction of any windows or doors outside of those already agreed upon. To venture from this permission would require further planning applications to the local planning authority.

The Chair invited Members to vote on Cllr Horgan's proposal to approve.

It was resolved with 8 votes in favour and 2 against:

That planning application 24/00450/FUL be **APPROVED** on the grounds set out in report Z50.

A short break was taken from 15:20 until 15:25

34. 23/01338/OUM – Land at Cambridge Road, Stretham

Holly Durrant, Senior Planning Officer, presented a report (Z51, previously circulated) recommending approval of an application seeking outline planning approval for the erection of up to 83 affordable homes with associated access, parking and landscaping.

The Senior Planning Officer presented Members with slides showing the location, outlining the proposal and associated photos. The Senior Planning Officer gave a reminder of the previous proposals attached to this application.

The Senior Planning Officer reminded members that the application had been to both April and June 2024 Planning Committee meetings where it was deferred on both occasions, with the latest deferral to address matters of highway safety, pending an independent report undertaken by Stantec.

The main consideration for this application was:

- **Highway Safety and Transport Impacts** – Following the issuing of the report, a revised highways scheme had been put forward, including extended street lighting, 'keep clear' markings on the road, a Puffin Crossing, dragon teeth markings along the road and the infill of missing footpaths, among other measures. There were no objections from the Highways Authority. It was deemed acceptable and would reduce the overall intimidation of pedestrians and satisfied the overall intention of the Stantec report.

In summary, Members were recommended to approve this application, in accordance with the prior outlined reasoning and on the following terms:

- The committee delegated authority to finalise the terms and completion of the S.106 legal agreement to the Planning Manager; and
- Following the completion of the S.106 agreement, this application be approved subject to the planning conditions on Appendix 5; or
- The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination period to allow completion of the S.106 legal agreement.

The Chair invited the Agent, Mr Chris Frost to speak.

"Members of the Planning Committee. My name is Chris Frost and I am the agent for this application.

The application before you seeks approval for 83 affordable homes and follows a previous approval for 38 similar homes on broadly the same site.

The scheme is brought forward in association with Stonewater Housing Group, a registered affordable housing provider, who will be developing the site.

This application was originally deferred at Planning Committee in April for a third-party review of the transport and access matters relating to the scheme, which was subsequently undertaken by transport consultants, Stantec.

The Stantec report raised no fundamental concerns in respect of the transport and access elements of the scheme and made five recommendations including suggesting that there was the opportunity for further discussions with the County Highway Authority in respect of a signalised pedestrian crossing.

In response, at the Planning Committee in June, we undertook to do everything that we could to get agreement from the County Highway Authority to introduce a new signalised pedestrian crossing.

The crossing has been designed by our highway engineers and has been subject to an independent Road Safety Audit, which confirms that the proposed road layout and pedestrian crossing will be safe for road users and pedestrians.

Following further consultation, both the Highways Authority and the County Council's transport assessment team have confirmed that the application scheme have confirmed that they do not object to the inclusion of a signalised crossing.

As you have already been advised by your officers, we are therefore delighted to confirm that the application scheme has been revised to include a pedestrian crossing, along with a range of traffic calming measures, including a 'village gateway' feature to encourage reduced vehicle speeds when approaching the village from the south, and wider pavements and street lighting to improve the pedestrian crossing.

The revised road layout and the pedestrianised crossing will be constructed at the applicant's expense under a Section 278 agreement.

We note that there are no objections to the proposals from statutory consultees, and that the application has received significant support from local residents, including 70 comments from people who wish to support affordable housing for the area.

The minutes of the June Planning Committee record that members confirmed that there were no concerns relating to any other aspects of the scheme. Members made it clear in their discussion of the proposals at that meeting that, if an acceptable highway layout and crossing could be achieved, they would support the approval of the application.

I am therefore very pleased to be back before you with a scheme that includes a pedestrian crossing and I am hopeful that we have now done enough to secure your support for the application, but if you have any questions about the proposals, I would be happy to answer them."

The Chair invited questions to the speaker from Members.

The agent confirmed that all roadworks and crossings would be completed prior to anyone moving in, when queried by Cllr Goodearl.

Cllr Wilson thanked the applicant for returning and producing what had been asked for by the Committee.

The agent confirmed that they are happy to agree to all previous conditions and that the maintenance of Condition 17 in perpetuity would be the responsibility of the Highways Authority, when questioned by Cllr Horgan.

Cllr Trapp enquired as to whether the affordable housing would be related to renting or buying. The Agent informed him that 50% would be affordable rented housing and 50% would be shared ownership housing; all of which was to be run by a housing association: Stonewater Housing Association.

Upon questioning from Cllr Ambrose Smith, the agent confirmed that there would be a letting policy whereby those with a close connection to Stretham would be afforded priority, being that the scheme is designed specifically for local needs.

The Interim Planning Manager reminded members that all other matters, barring the highways concerns, had been debated and voted upon at previous meetings.

Cllr Sharp enquired as to whether the 3m wide footpaths on both sides were going to be LTN 1/20 compliant (guidance relating to the delivery of high-quality cycle infrastructure) and if the pathways were intended to be shared with cyclists. The Agent informed Cllr Sharp that the pathways were not intended to be shared with cyclists.

When invited by The Chair, there were no additional comments from the Planning Officers.

The Chair invited questions to the Planning Officers.

When asked by Cllr Sharp, the Interim Planning Manager confirmed that there was generally a standardised amount of time at a Puffin Crossing that allows for people to get across safely, but that this was not within the remit of the Local Planning Authority.

The Interim Planning Manager clarified that all reserved matters would be brought back to the Planning Committee, as indicated in the minutes from June 2024.

The Chair invited debate.

Cllr Wilson proposed approving this application per the officer's recommendations, seconded by Cllr Goodearl.

Cllr Sharp noted that the speed limit may well have been adjusted to 30mph rather than 40mph, but that overall, he liked and supported this scheme.

Cllr Horgan noted that the applicant managed to make 100% of this development affordable homes, while other applications struggle to reach even 20% and queried if there were any lessons which could be taken from this case.

The Chair invited the Members to vote on Cllr Wilson's proposal to approve this application on the officer's recommendation.

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

That planning application 24/01338/OUM be **APPROVED** on the grounds set out in report Z51.

35. Planning Performance Report

David Morren, Interim Planning Manager, presented a report (Z52, previously circulated) summarising the performance of the Planning Department in July 2024.

The Interim Planning Manager informed Members that statistics relating to the volume of pre-application enquiries had been added, per Member requests. The Interim Planning Manager did note that it was not possible to include whether matters had been determined 'on time' as there was no statutory timetable upon which to work from, but assured members that work was, and would continue to be, completed in a timely fashion as the pre-application process was a commercial offering.

Cllr Trapp enquired if it was possible to receive an indication of how many applications were outstanding. The Interim Planning Manager informed Members that a statutory time frame for application processing of 8-12 weeks was in place, and any applications processed after that period may be considered out of time. However, if an extension had been agreed with the applicant, then it would be considered in time. Information may be provided on if applications are out of time.

Cllr Horgan queried if it was possible to receive a year-to-date running total of appeals received. The Interim Planning Manager informed Cllr Horgan that it could be provided.

It was resolved unanimously that the Planning Performance Report for July 2024 be noted.

The meeting was concluded at 16:00

Chairman.....

Date.....