

**Minutes from the Foxton Parish Council Planning Committee meeting
Tuesday 15th February 2022 at Foxton Village Hall Pavilion**

Present: Caroline Ilott, Peter Howell, Andy Brown and John O Neill of the Planning Committee. 8 members of the public including District Cllr Deborah Roberts and Mr Chris Anderson, the agent for the applicant of the Folwmere Road site. The meeting was quorate.

- 1. Declarations of interest – Deborah Roberts assured the meeting that if any application discussed goes to the SCDC Planning Committee, of which she is a member, that she would look at the applications afresh.**

- 2. Minutes of Planning item on the agenda of the FPC meeting on Wednesday 5th January 2022.**

The minutes were taken as a true record of the meeting with no matters arising.

3. Planning Applications to be considered

A. 21/05528/FUL – 32 Fowlmere Road, Foxton, CB22 6RT –demolition of existing building and erection of 4no. dwellings with associated infrastructure works

Mr Anderson listened to the various points made by the committee and residents present and answered questions. He will relay residents' comments to his client. Mrs Roberts clarified several points of planning procedure.

The Parish Council formal response is as follows:

Foxton Parish Council is not against development of this site in principal but recommends refusal for this application and requests that it go to SCDC Planning Committee if the officer is minded to recommend approval. We also request that the SCDC Planning Committee make a site visit or failing that, the case officer visits the site and takes photographs of all aspects. This is the 3rd iteration of a planning application for this site.

Refusal is recommended for the following reasons:

- i. Foxton Neighbourhood Plan, which was made on 5th August 2021 and its policies are now part of the overall development plan and not just material consideration. The housing mix within new residential development schemes should be suitable for meeting the needs within the parish, as set out in the Housing Needs Survey.*

Policy Fox10 in the Plan states: 'The mix of market homes on sites of 9 or fewer units will provide at least 50% of 1-2 bedroom units to take into account Foxton's identified need for smaller homes for both first-time buyers and older people downsizing.'

'In homes intended for the lifetime occupation by the older generation, conformity to Building Regulations Standards M4(2) is encouraged.'

The previous planning application for 3 dwellings on this site was refused, so it is surprising that the applicant has now submitted a design for 4 dwellings. This only exacerbates the over-development of the area, being 4 buildings with very little amenity space allocated for each dwelling in comparison to the size of the dwellings, access issues, and no internal safe pedestrian and disabled access.

Foxton Parish Council fully supports and shares the material issues of unacceptable loss of privacy and/or daylight for all neighbouring dwellings as described in the voluble comments from local residents. It is unfortunate that this revised application has entirely failed to ameliorate the detrimental quality of life impact that the proposed development will have on 8 immediately adjacent properties. Such concerns were raised during two previous planning applications for this site and have not been adequately addressed in this third submission.

ii. On-site parking and hard landscaping issues.

The overall number of designated car parking spaces will rise from 6 to 8 for this application with little or no room for on-site visitor/delivery parking. This can only add to the problems of safe ingress and egress onto Fowlmere Road. It should be remembered that there is no parking restriction on Fowlmere Road. Concerns have been voiced about this in the 8 neighbour public comments.

Cambs County Council Highways have raised concerns about the use of permeable paving within what will be a unadopted internal road. There could be water run-off into the public highway which needs further physical measures. Foxton Parish Council shares this concern and adds that the amount of hard landscaping does not seem to be compatible with the current green policies of the Local Plan, or with the stronger environmental policies of the emerging Local Plan.

The 2 photos on Page 17 of the revised Design and Access Statement show the contrast between the current and proposed dwellings, highlighting the increased amount of hard landscaping.

iii. Soft Landscaping

The removal of the existing mature boundary vegetation around the whole plot will have significant visual impact from many of the neighbouring 2 storey houses in Illingworth Way, St Laurence Road and Fowlmere Road. This has

been highlighted by comments from the Neighbours Notified list. This is particularly pertinent to No 30 Fowlmere Road's concerns.

Many mature trees and shrubs will be lost and risk of loss to mature neighbouring property trees from cutting back could be an issue. Some mature healthy trees which are not on the site but are very close to the boundaries could suffer long term root damage from construction of the properties –something that will not become apparent until long after the developer has sold the properties. There are no TPO's on the site but the surrounding residents have a right to have a degree of protection on this matter. Tree work on or near neighbouring properties will affect drainage of surface water, as new planting will take a number of years to take up an equal absorption. This could have effect in the run off of surface water. Any work effecting neighbouring properties 'mature trees could result in ground 'heave' and could have effects on their building foundations.

There is no indication on the plans for a water supply to serve the many new plants in what will be a privately managed site. The Soft Landscaping plan calls for supplemental irrigation for at least 2 years with plants requiring watering up to 7 days a week in summer. This matter has not been addressed.

iv. Access to the site



The current plans suggest that there is a footway from the corner of Illingworth Way along Fowlmere Road to the proposed site access and beyond. There is no such footway. It ends at the corner of Illingworth Way and Fowlmere Road. The following photo taken at this point clearly shows this.

Foxton Parish Council also shares the concerns about the incongruity of the red line outline of the site on the Soft Landscaping plan, the Proposed Site Plan and Location Plan and the Visibility Splay as detailed in the comments from the residents at 2 Illingworth Way. The question of who owns which fence boundary and the requirement for the 600mm height at the new access needs to be clarified in order to comply with the Highways requirements.

There is also cause for concern over the internal road layout as the cars allocated to Plot 4 parking could have sight line issues when turning the tight corner of Plot 1 garden end into the access road onto Fowlmere Road. There would be similar concerns for any visitor/delivery vehicles. Reversing out into Fowlmere Road would be dangerous because of the road bend further to the north near numbers 22 and 24.

v. *Plot 1*

The proposed dwelling has now been pushed back into the site while maintaining the previous design and size. This now means that there is a 2 vehicle tandem parking space at the front of the plot. This will mean that vehicles egress straight onto Fowlmere Road. If the vehicles are in a reverse position, this could be dangerous for the reasons already stated.

An important issues has been omitted from the drawings and designs – namely that the car parking spaces are right on the plot boundary and very close to the living room window of No 30 Fowlmere Road. This could have detrimental effect to the residential amenity of No 30 with vehicle noise etc. Any pedestrian movement to the front door of Plot 1 will also have a direct line of sight into this living room window, again causing privacy issues. Even if a tall fence was constructed, this would mean a loss of light to the existing property.



The following photo shows the living room window at No 30 and although there is much vegetation, as the site has not had any arboreal maintenance, the potential problems of the nearness of the window to Plot 1, can clearly be seen.

The issues of lines of sight and overlooking from No 2 Illingworth Way are detailed in the residents' comments and are echoed by Foxtan Parish Council. In addition we would point out that although the current plans show no dimensional changes, the west or rear elevation now has a larger upper story window, the south or side elevation shows increased fenestration from 3 to 4 windows plus a roof sky light and the east or front elevation shows a larger window in the single story extension. The residents at 37 and 39 Fowlmere Road have written their concerns about overlooking, light blocking etc which Foxtan Parish Council agrees with.

The aerial site overview photos on Page 7 and Page 24 of the revised Design and Access Statement shows how the upper story bedroom windows of the existing properties on Illingworth Way and St Laurence Road could overlook the gardens of Plots 2,3 and 4.

vi. *Plots 2, 3 and 4*

The proposed terrace of 3 dwelling at the back of the site, while giving 2 x 2 bed and 1 x 3 bed properties, is not of a design which equates with the surrounding properties and is very urban in design. The roof ridge is only approx. 1m below the ridge heights of the surrounding houses. Foxtan Parish Council shares the concerns raised by the residents of adjoining properties about overlooking, a 2 way loss of privacy from both existing and the new dwellings with the upper floor dormer windows, loss of light and all the rest of the voiced concerns.

The proposed rear gardens of these plots have no screening from each other and there would be pedestrian and possible cycle movement along the rear hard standing which would entail going past windows resulting in a major loss of privacy for residents.

The suggested waste bin collection point along the access road raises the question of would the refuse collection vehicles drive or reverse that far into the private roadway? If not, then residents of these plots would probably put their bins at the access entrance on the public highway. This would be unacceptable from many aspects, not least safety.

The proposed terrace constitutes back -land development of this site but this cannot be equated to other development cited by the applicant. Chardle Fields was not back land but brown field development, Chalk Hill was a rural exception site while the properties granted planning permission at the rear of Nos 57 and 59 Fowlmere Road cannot be compared to the 'land locked' site at 32 Fowlmere Road, with its unique 'goldfish bowl' perspective of being surrounded by residential dwellings.

The previous refused application's delegation report stated that 'This application is for back land development located on the south west of the main road. There is no other development on this side of the road that could be classed as back land development'.

As previously stated, Foxtton Parish Council is not opposed to some development of this site, but this current proposal is still over development and unsuitable in many ways as detailed.

B. 22/00322/FUL – Moores Farm, Fowlmere Road, Foxtton, CB22 6RT

Erection of a grain store and siting of 2 fertiliser tanks.

Foxtton Parish Council has no objections in principle to this application but cannot comment fully as there are matters which need clarification. We also make the following observations and provisos:

- i. The new grain store and fertiliser tanks proposed location is now approx. 30m from the existing grain store which now has planning permission for development into 2 residential dwellings. (Planning application 20/039341/FUL). Please can the planning officers examine whether this current application is now compatible with the Local Plan Policy Design Principles HQ/1 (n) – which states that development should ‘Protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions, and dust.’
As Foxtton Parish Council do not have any expertise in the legalities of Local Plan policies, please can SCDC officers take professional independent advice regarding the potential health hazard of 2 dwellings in close proximity to a grain store and fertiliser tanks, bearing in mind dust, noise, light pollution, hours of work etc. The same number of daily HGV movements should be conditioned as for the Thriplow Farms Appeal Ref: APP/W0530/W/18/3210962. (Planning application S/3566/17/FL), in order to ensure residential amenity quality for the 2 new dwellings nearby.*
- ii. Is the location of fertiliser tanks near to proposed residential dwellings considered safe? There are no detailed plans for these tanks. Are there any fire hazards associated with ammonium nitrate storage near residential buildings? Should there be any protective fencing etc?*
- iii. The landscaping details provide good visual protection from the Landscape Character viewpoints and the planting design is appropriate as it places the planting away from the structures so affording better screening as the trees grow. The report also recommends deer fencing, which is a must and should be conditioned as part of the planning permission. The screening planting should also be conditioned to be put in the first winter after completion of construction and should cover all dead plant replacement for 2 years after planting.*
- iv. Planting species -The suggestion of planting Pinus sylvestris (Scots pine), Rhamnus catharticus (buckthorn) and Taxus baccata (yew) seem wholly inappropriate to an open chalk landscape. Yew is very slow growing,*

buckthorn is spiny and poisonous and can get out of control (usually found by the sea), and Scot's pine is suitable for sandy soils like the Brecks, not the chalky soils in this location. The other species are fine, with the Acer campestre (field maple) and Fagus sylvatica (beech) growing up in time to medium height trees. The planting scheme would benefit from a greater variety of shrub/hedgerow species such as more viburnums, dogwood, holly and hawthorn. They also suggest other Acer (maple) species, Juglans (walnut) and Tilia (lime). The lime should be suitable and would grow to a good height in the long term. Other suitable tree species, such as those found in Foxton Woods, include rowan, wild cherry and elder. All these species will in time have beneficial biodiversity value. Proper long term irrigation and maintenance of all new planting should be conditioned.