

PLANNING COMMITTEE



17 OCTOBER 2012 - 2.30PM

PRESENT: Councillor P Hatton, Chairman; Councillors M I Archer (substitute for Councillor D R Patrick), M G Bucknor, D W Connor, B M Keane (until 6.30pm), Mrs K F Mayor, A Miscandlon (substitute for the vacancies that exist), Mrs F S Newell (until 7.25pm), T E W Quince, R E Scrimshaw and D Stebbing. .

APOLOGIES: Councillor D R Patrick.

Officers in attendance: G Nourse (Chief Planning Officer), Ms A Callaby (Planning Performance Manager), S Lalor (Area Development Manager), Mrs E Cooper (Member Support Officer) and R McKenna (Principal Solicitor (Litigation and Planning)).

Councillors Owen and Sutton also attended the meeting as observers.

P90/12 MINUTES OF 19 SEPTEMBER 2012

The minutes of the meeting of 19 September 2012 were confirmed and signed, subject to

- confirmation that applications F/YR12/0221/F and F/YR12/0512/F were moved, by the Chairman, to the beginning of the meeting due to the number of public attending the meeting to hear these two applications
- inclusion, in relation to minute P88/12 and planning application F/YR11/0482/F, of the Chairman asking if there were sufficient reasons to amend the decision in relation to this application and this being confirmed by officers.

It was proposed by the Chairman and seconded by Councillor Stebbing and **decided that in future the minutes would reflect the order that the applications were determined at the meeting and the breaks taken by the committee would also be recorded.**

* FOR INFORMATION OF THE COUNCIL *

P91/12 F/YR12/0368/F SOMERSHAM - LAND SOUTH-WEST OF OLD HALVES FARM, CHATTERIS ROAD, ERECTION OF 2 X 50 METRE HIGH (HUB HEIGHT) WIND TURBINES (MR C S AND A R ALLEN)

Members were informed that this application had been deferred until the next meeting, due to a late letter of objection being received from Cambridge Airport in relation to potential radar interference and the applicant requesting the opportunity to undertake discussions with this party.

P92/12 F/YR12/0594/F MARCH - LAND NORTH-WEST OF POTASH FARM, WHITTLESEY ROAD, ERECTION OF A 36.4 METRE HIGH (HUB HEIGHT) 50KW WIND TURBINE AND CONTROL UNIT (MR M MOTTRAM)

Members were informed that this application has been withdrawn by the applicant.

P93/12 **F/YR12/0506/F**
WISBECH - 5 CHURCH TERRACE, INSTALLATION OF NEW SHOP FRONT AND
SECURITY SHUTTER
(FAIRBROTHERS PHARMACY LTD)

The committee had regard to its inspection of the site (as agreed at its meeting on 22 August 2012 (minute P58/12 refers)) during its deliberations.

The Chairman read out an e-mail received from Councillor King, which stated "I strongly support the application for sympathetic external shutters. Many of the shops in the area already have them and internal shutters do not protect windows from being broken leading to prohibitive insurance costs".

Members received a presentation from Councillor Hodgson in support of the proposal. Councillor Hodgson expressed the view that there are many security shutters in the Town Centre Conservation Area and, in his view, the new security shutters for this premises would look smart and provide a screen, which although can be graffitied he made the point that so can currently the shop window and the walls of the Church.

Councillor Hodgson expressed the opinion that there are more problems in this area than is reported and he feels that no area cannot be considered as not being a significant crime area. He feels that the premises is now a far better heritage look than it previously was and would be even with the proposal.

Councillor Hodgson expressed the view that this premises has had a break in and requires the shutter due to the nature of goods sold from the shop. He expressed the opinion that with the indoor shutter the window can still be smashed and the shutters pushed in and vandalised.

Councillor Hodgson stated that Wisbech Town Council recommended approval and asked how other premises can be allowed to have shutters and others not?

Councillor Bucknor expressed his fear that if this type of shutter is allowed in a historical situation it could lead to a Market Place that is covered with graffiti, he is not against shutters and has seen some good examples of external shutters, and asked Councillor Hodgson if this applicant would consider a different type of shutter? Councillor Hodgson advised that he is sure that the applicant would, but made the point that the shutters have been chosen as they are well maintained.

Councillor Bucknor asked Councillor Hodgson that is it his understanding that the internal shutters were not closed when the store was broken into? Councillor Hodgson advised that the internal shutters were introduced to the premises following the break in.

Councillor Stebbing asked Councillor Hodgson if the premises is in view of a CCTV camera? Councillor Hodgson advised in the affirmative.

Councillor Mrs Mayor asked Councillor Hodgson if there is an issue with graffiti on the shop window at the present time? Councillor Hodgson advised not.

Councillor Archer asked Councillor Hodgson if Councillor King is the District Councillor for the area? Councillor Hodgson advised that the District Councillor is Councillor Farmer, who has given him permission to speak on this application.

Councillor Connor referred to the comments of the Police Architectural Liaison Officer being contradictory with the information that Councillor Hodgson has provided to the committee. Councillor Hodgson advised that it has been confirmed to him that the internal shutters were not at the premises when there was a break in.

Members made comments, asked questions and received responses as follows:

- Councillor Archer, referring to the photographs that had been shown to members of other premises in the Town Centre, asked if these properties were all in the Conservation Area? Officers had considered planning histories over the past four years for Wisbech premises and no shutters have been granted on any premises within this period, with many of the shutters in existence being historical;
- Councillor Archer made the point that Councillor Hodgson mentioned that the premises was a Chemist, which has additional security concerns compared to a normal shop and the need for enhanced security is relevant, and asked if the proposal cannot be granted but be conditioned for a sympathetic appearance? Officers advised that they only have what is in front of them, there is no alternative, and they have received advice from an expert in the field, the Police Architectural Liaison Officer, that the shutter that the premises has now is adequate;
- Councillor Miscandlon expressed his understanding that the applicant was going to look at alternative shutters for external use? Officers reiterated that they only have the proposal that is before members;
- Councillor Mrs Newell expressed her agreement with the comments of the Georgian Group and the Ancient Monument Society.

Proposed by Councillor Bucknor, seconded by Councillor Stebbing and decided that the application be:

Refused for the following reasons

1. **the proposed external shutters and aluminium shop front would appear as incongruous features, which would be to the detriment of the character and visual amenities of Wisbech Conservation Area and the setting of the neighbouring Grade I Listed Building, contrary to Policies E12 and E17 of the Fenland District-wide Local Plan, ENV6 of the East of England Plan, CS14 of the emerging Fenland Communities Development Plan and Section 12 of the National Planning Policy Framework;**
2. **the proposal fails to address or take into consideration the significance of the heritage assets affected by the development, contrary to Section 12 of the National Planning Policy Framework.**

(Councillor Bucknor registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Wisbech Town Council at which this application had been considered but had taken no part)

(Councillor Scrimshaw stated that he was not present at the meeting of 22 August 2012, but feels, taking all information into account, that he was able to make a decision on this application)

P148

P94/12 **F/YR12/0613/F**
WISBECH - LAND SOUTH-EAST OF PIPERS FARM, BARTON ROAD, ERECTION
OF 3 X 14.97 METRE HIGH (HUB HEIGHT) WIND TURBINES (RETROSPECTIVE)
(MR R DAVIS, ROBERT DAVIS POTATOES)

Members considered one objection.

The committee had regard to its inspection of the site (as agreed at its last meeting (minute P86/12 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Mrs Wakefield, an objector to the proposal. Mrs Wakefield referred to a question asked at the last meeting about whether the turbines were on her land, stating that they are not but her current concern is that they do have the potential due to the fall over calculations.

Mrs Wakefield expressed the view that the turbines are seven metres away from her boundary and, therefore, seven metres could be on her land if they fall over. She stated that the turbines are some 20 metres from their consented location and the applicant is unable to give no reason why they are not in the correct location.

Mrs Wakefield made the point that planning permission still exists under F/YR11/0925/F and asked if this proposal is allowed does it mean that another three turbines would be erected on the site. She referred to the Council's Solicitor raising this point at the last meeting and she feels that a Section 106 or legal agreement should be entered into to revoke the previous permission if this proposal is allowed.

Mrs Wakefield expressed the view that if something is erected in a location 20 metres from its permission it should be taken down and not be allowed planning permission.

Councillor Miscandlon asked Mrs Wakefield if, when she noticed the turbines being erected out of position during construction, did she notify anyone? Mrs Wakefield advised that she did, but she waited for everything to be completed to ensure that they were in the incorrect location. She made the point that she has no problems with the turbines only how close they are to her boundary.

Councillor Connor asked Mrs Wakefield if she had had any correspondence with Mr Davies since the last meeting? Mrs Wakefield advised that she had not.

Councillor Keane asked Mrs Wakefield, in relation to her main fear being that if the turbines collapse they would fall onto her land, does she have any evidence of this? Mrs Wakefield advised that there has been a turbine where the top did fall off, which could be seen from the A47. She made the point that these turbines have a 25 year life span and would need some attention in some form during this time and if they are moved over there would be no problem.

Councillor Stebbing asked Mrs Wakefield if she grows crops on her land or what does she use it for? Mrs Wakefield advised that she has owned her land for 14 years and she grows hay on it at the moment and it does have fruit trees on it.

Councillor Archer asked Mrs Wakefield to confirm that she is not anti-wind turbines, but her issue is merely the location? Mrs Wakefield advised that this is correct, she was happy with the previous application and can see that the turbines would assist with the applicant's costs.

Members made comments, asked questions and received responses as follows:

- Councillor Stebbing made the point that there is a situation in Whittlesey with a turbine being put in the wrong place, which had ice fall off, and he asked Mrs Wakefield what she did with her land as there could be the same sort of fall off onto her land. He feels that the committee should be bothered that the turbines have moved closer to her land, but not if moved the other way;
- Councillor Connor expressed the view that the location of the turbines is untenable for Mrs Wakefield and if the applicant is allowed to get away with it anyone else can do what they want;
- Councillor Archer made the point that planning permission would not be allowed to build on one street only for the proposal to be built in another street and he feels this is the same situation;
- Councillor Mrs Newell asked if a response has been received from the Parish or Town Council? Officers advised that there has been no further response.

Proposed by Councillor Connor, seconded by Councillor Archer and decided that the application be:

Refused for the following reasons -

1. **the proposal is too close in topple over distance to the adjoining land**
2. **the proposal would have a detrimental impact on the residential amenity of the adjoining land**
3. **extant planning permission exists, which could result, if this proposal is approved, in 6 turbines in this location.**

It was further decided that an Enforcement Notice be issued for removal of the turbines from their current position within three months of the date of its issue.

Members do not support officers' recommendation of grant of planning permission for the reasons set out above.

P95/12

F/YR12/0408/F

DODDINGTON - 65 NEWGATE STREET, ERECTION OF 2 X TWO-STOREY 5-BED DWELLINGS AND 6 X TWO-STOREY 4-BED DWELLINGS WITH DETACHED GARAGES INVOLVING DEMOLITION OF EXISTING DWELLING (MR J KINGSLAND)

Members considered letters of representation.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Hufton of Doddington Parish Council. Councillor Hufton informed members that the Parish Council has a number of objections

- the proposal is outside the Development Area Boundary
- the bungalow already situated on the site suits the existing street scene and to demolish it would alter the ambiance of the area. The current housing, from the 30 mile restriction sign, along Newgate Street through to almost the centre of the village is only one dwelling deep.

At a recent Parish Council meeting, the Leader of Fenland District Council told the Parish Council that backland development was not to be encouraged within Fenland and this proposal is backland development, which would create a precedent if allowed and could open the floodgates to further development of similar nature

- the Parish Council is aware that the site contains a great deal of water, the site is very wet and the ponds within it are natural ponds and the Parish Council would be concerned about flooding and disposal of foul water and sewerage. Lorries from Anglian Water are regularly at the site pumping out the drains and the recent wet weather has caused manhole covers to blow on at least one occasion. The infrastructure within the village is already over capacity, with problems in various areas, this site being one of them, and the Parish Council is, therefore, anxious that the current infrastructure is vastly improved before further development within the village is contemplated
- access to the site would be on a corner where the natural camber leans towards the footpath outside No.65 and whilst it falls within the 30mph speed limit, the Parish Council are pursuing existing speeding traffic problems along this stretch of road through regular reports to the Police. The Parish Council, therefore, feel that the access to this site could be seen as dangerous
- there is a public footpath that runs along the East side of the site, which forms a boundary between the proposed site and the Pocket Park and is in regular use, therefore, assurances are required that if permission is given for this development that this is taken into account
- the development does not comply with CS3 of the Core Strategy in so far as it does not include affordable housing, noting that £75,000 would be sought from the development in Section 106 monies to recompense for this and the Parish Council would like to be reassured that, should the proposal be allowed, that the money would come back to the Parish for use in improving facilities within the village.

Councillor Hufton hoped that members would take into consideration these points raised by the Parish Council when making their decision.

Councillor Archer asked Councillor Hufton about her comments that Anglian Water are regularly in this area asking if it is on this stretch of road? Councillor Mrs Hufton advised that Anglian Water is in the vicinity and it does pump water away from this site.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey referred to the Parish Council's concerns and made the point that the Local Plan is now superceded by the Core Strategy and policies are changing. He made the point that from the location plan you can see a small development to the east of this site which is already backland.

Mr Humphrey expressed the view that the ponds on the site are manmade, dug by his client, and they have the capacity to collect further water. He thanked officers for working with him on this application, which he feels is an attractive and fantastic site and allows an opportunity for a development of houses in Fenland like the Core Strategy, the National Planning Policy Framework and members wish to see. He stated that some of the houses would project over the ponds, which provides quality and raises the image of houses in Fenland.

Mr Humphrey made the point that the final scheme has been negotiated over the course of time, with the numbers reduced and the entrance being made more attractive and acceptable. He stated that the Local Highway Authority, Archeology and Middle Level Commissioners are all happy with the scheme or their requirements can be addressed by conditions.

Mr Humphrey referred to the contribution of £75,000 to be made in lieu of affordable housing stating that whether it is ring-fenced to the Parish Council is not a matter for him. He asked

members to support officers' recommendation.

Councillor Archer stated that the Local Highway Authority did have some concerns about the application, but he believes these concerns have been addressed, and asked Mr Humphrey if the roadway would be to adoptable standard? Mr Humphrey advised that it would be built to adoptable standard, but it cannot be dictated that it is adopted.

Councillor Archer referred to the concerns of the Middle Level Commissioners regarding the distance from the main drain and has Mr Humphrey made any comments on its concerns? Mr Humphrey advised that Middle Level Commissioners ask for lots of information when an application is submitted, but it has been agreed with officers and supported by members that these requirements can be added as conditions to an application.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Newell asked if anything other than the report has been received from the Archaeologist and would its requirements be conditioned? Officers advised that Condition 7 covers the Archaeologist's requirements;
- Councillor Mrs Newell asked if the concerns of the residents have been taken into account about the windows of house No.8? Officers advised that this house has been repositioned and permitted development rights have also been withdrawn;
- Councillor Stebbing stated that from an aesthetic point of view this site is one of the most attractive he has seen in a long time;
- Councillor Scrimshaw made the point that the Core Strategy identifies Doddington as a Growth Village and he would support it;
- Councillor Mrs Mayor referred to the report mentioning that the trees are not of importance, but she would like to see some of the mature trees retained on the site if possible;
- Councillor Connor stated that, if this application is approved, he would like to see the Section 106 money to be used in Doddington only. Officers advised that the Section 106 contribution is directly related to affordable housing and would be ring-fenced for this purpose, which is covered by a District-wide policy. Councillor Connor expressed the view that Doddington has been identified as a Growth Village and it should have this money ring-fenced to it, with him not being happy if it went outside the village. Officers advised that they would have to liaise with the Housing Officer as affordable housing is a District-wide issue, with the money normally going into an affordable housing pot to allocate to the need across the District;
- Councillor Archer made the point that under the new Localism agenda surely the money can be ring-fenced for identified housing need in Doddington? Officers advised that the Section 106 could be drafted in a way that the money is targeted to Doddington parish. The Principal Solicitor explained that Section 106 money has to be put to the purposes that they are sought and there is normally a time limit for this money to be used for this purpose, which he would suggest be 20 years. Mr Humphrey indicated that he was happy with a 20 years time period;
- Councillor Bucknor asked if this means that Doddington would opt out of the scheme for affordable housing monies? The Principal Solicitor advised that it merely means that in this application that this money is ring-fenced to Doddington.

Proposed by Councillor Archer, seconded by Councillor Scrimshaw and decided to:

Grant, subject to

1. **prior completion of a Section 106 Agreement in relation to an affordable housing contribution, to be ring-fenced to the parish of Doddington**
2. **the conditions reported.**

P96/12

F/YR12/0435/F

MANEA - BOTTOM FARM, DAYS LODGE ROAD, FODDER FEN, ERECTION OF 3 X 15.545 METRE HIGH (HUB HEIGHT) WIND TURBINES (MR M FOWLER)

Members considered letters and a petition of objection.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- a consultation response has been received from Natural England:
 - thank you for forwarding a copy of the final report from Just Ecology (August 2012) submitted as part of the above planning application. Having reviewed the report Natural England agrees with your conclusion that it simply confirms the potential risk to birds posed by the proposed wind turbines. The desk study identifies the displacement risks posed by the turbines given the continued usage of the wider area by Bewick's and Whooper Swans, qualifying species of the Ouse Washes Spa, and, therefore, the potential for significant effect on the spa. The report also highlights the potential collision risk posed by the turbines to species, such as swans and other wildfowl, waders and birds of prey, again many of these associated with the Ouse Washes Spa, Ramsar site. Records also indicate other significant species to be at potential risk including Barn Owl, Hobby, Merlin, Short-Eared Owl and Marsh Harrier. The report confirms that *'there is no available information on flight lines for birds in relation to the Bottom Farm site. However, with extensive usage of areas immediately to the NW, SW and SE of the site it seems inevitable that swans will pass over or through the Bottom Farm site when moving between these areas and when moving from or to their roost sites on the Ouse Washes'*. We agree with this statement and with the suggestion that collision risk studies may be helpful in providing flight-line, flight-height and flight activity information. This information should be used to inform a detailed assessment and, where required, identify and agree suitable mitigation measures. In relation to species associated with the Ouse Washes, the assessment will need to demonstrate that the proposal will not have an adverse effect on the integrity of the international site. A key recommendation of the report should, therefore, have been to undertake a detailed survey and assessment, in accordance with Natural England TIN069 guidance, to identify the risks to birds and inform detailed mitigation proposals. Given the sensitivity of the area identified through the desk-study it may not be appropriate to implement 'practical measures' at this stage as it is not clear whether these will have an adverse effect. Mitigation measures should be informed by the detailed assessment and then agreed with relevant parties
- an additional objection has been received from Save Our Swans:
 - please let our strong objections be shown at the meeting re this unsafe proposal for industrial turbines to be erected (and spin) - so near the protected SSSI and Ramsar sites along the Washes. This proposal goes against the principle of protecting the washes from just such industrialisation. These areas must be protected as deemed

to be protected by the SSSI and Ramsar status awarded to the area. To erect wind turbine clusters/high spinning blades would endanger the migratory and overwintering swans of the Welney Sanctuary - as shown by all our previous correspondence at your offices. The SSSI and Ramsar protection was upheld by the Government as shown on your records when our mass of provided petitions, letters of objections, professional and scientifically based research documents and reports by global experts, and TV, radio and other media attention secured the cessation of turbine erection in this protected area. Please be good enough to ensure all our documentary and photographic evidence of valid objection to this dangerous (new) proposal be available for the meeting in order a full picture may be seen by attendees.

Members received presentations, in accordance with the public participation procedure, from Mr Stoneman and Ms Lawrence, objectors to the proposal. Mr Stoneman informed members that he was speaking on behalf of Save Our Swans Welney, Cambs Environmental and Wildlife Protection and all residents who have voiced their concerns by way of objection or petition to what is seen as a highly damaging and detrimental proposal to local wildlife.

Mr Stoneman stated that the objections are based on the sensitive ecological nature of the turbine site in question and the potential risk to local swan population by way of disruption to preferred feeding grounds, habitat disturbance and blade collision, with Cambridgeshire Bat Group also confirming highly protected species of bat as being present and foraging within the area. He expressed the view that the proposed wind farm lays directly within the flight paths of low flying swans as they criss-cross the Fens foraging for food, with the nearby Ouse bird reserves being of international wildlife designation, SSSI and Ramsar status.

Mr Stoneman expressed the opinion that the proliferation of turbine developments has accelerated within Fenland, however, arable lands surrounding the reserves are regarded as being the last "bastion of safe refuge" for an important range of wildlife species, with this unique haven for wildlife remaining unaffected due to the absence of vertical rotating structures that are prominent elsewhere in Fenland. He feels that turbine development of any size or scale within this sensitive ecological haven would be directly in conflict and undermine bird conservation work within this part of the region.

Mr Stoneman referred to the Council's Wind Turbine Policy, which states "to maintain the openness of the landscape without the presence of vertical elements, this is particularly important for areas that are currently "Free from Turbine Development". He stated that local reserves support an important range of bird species and it has been acknowledged that badly sited wind turbines kill or maim protected birds or bats by blade collision, therefore, in his view, if the applicant, after receiving advice and concerns from professional bodies, knowingly or deliberately sites moving structures of any scale, in an area of high bird activity his actions could be viewed as irresponsible, or unlawful, if protected species are killed.

Mr Stoneman expressed the opinion that the financial, economic and somewhat flawed environmental benefits claimed by the applicant is of no interest to local people, however, what is concerning is the impact that his actions may have on the local environment and its ecology. He feels that if this proposal is approved it would be the beginning of the end of an ecology that would be so adversely affected it may be damaged forever.

Mr Stoneman stated that the RSPB support wind energy, but over the years have objected to just 7% of all applications, therefore, the society's objection is of great significance and concern. He expressed the opinion that the Ouse bird reserves are a supreme asset to Fenland, an asset that is the envy of others, an asset it should be privileged to have, an asset that tourists would flock to

see and an educational resource that Fenland must protect.

Councillor Archer asked Mr Stoneman if he was a Manea resident? Mr Stoneman advised that he lives between Manea and Welney.

Ms Lawrence stated that she agrees with the comments of Mr Stoneman and speaks on behalf of Save our Swans (SOS) and the 120 people who signed the petition. She stated that she lives in Tipps End and SOS is the voice of those in opposition to this proposal in a unique and sensitive area and there is concern over protecting this wildlife area.

Ms Lawrence expressed the view that swan injury has been established and numbers of swans are in decline, believing that threats to habitats, loss and collision are all prevalent with this proposal, providing statistics in relation to this. She feels that the Washes is a special area and there is a duty of care not to endanger its wildlife.

Ms Lawrence made the point that a previous committee has taken a strong line in refusing other applications, explaining the stance taken in relation to this. She expressed her deep concern about the long-term safety of this environment asking that a definitive line be drawn under this once and for all.

Councillor Archer asked Ms Lawrence, in relation to mention of figures in relation to collision with turbines and powerlines, were these figures broken down? Ms Lawrence advised not specifically, but turbines were always mentioned.

Members received a presentation, in accordance with the public participation procedure, from Mr Peukert, the applicant's agent. Mr Peukert stated that his client is keen on the environment and maintaining it, but he is a contract farmer spending £60-80,000 on red diesel and is concerned about his carbon emissions, with these turbines saving 12-14 tonnes of carbon per year, which contributes to reducing his carbon emissions. He made the point that the turbines are not of commercial scale, being 15 metre towers and 5 metre blades.

Mr Peukert stated that a full ecology report has been submitted and the turbines have been sited responsibly away from hedgerows, trees and buildings. He expressed the opinion that the report shows that the swan population in the area has been declining for the last 10 years, which is not a result of flying into turbines as there are none in existence.

Mr Peukert expressed the view that mitigation measures would be introduced in putting in the turbines and his client has agreed to change cropping patterns and reduce field sizes. He feels it is interesting to hear from the objectors about the impact of turbines with swans but there are already three turbines operating north-west of this site. He feels that as the site is so remote there would be no visual impact from the proposal.

Councillor Stebbing asked Mr Peukert that, as both applications are on the same field but on different sides and 10 metres from a drain, does the farmer own the fields either side of the site? Mr Peukert advised in the affirmative and that the turbines are close to the edge of the field due to farming patterns.

Councillor Archer referred to the size of the turbines, with smaller blades being able to spin faster which could present a bigger collision impact and asked Mr Peukert why bigger turbines are not being considered that rotate slower? Mr Peukert advised that the smaller scale turbines create more noise and it is felt, therefore, they are easier to avoid.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Mayor expressed the view that the turbines are in close proximity to the edge of the field and drain, with Middle Level Commissioners raising concerns about being in the maintenance strip of the drain and the applicant not approaching them with an application for encroachment. She stated that normally you have to have a 10 metre strip to maintain the drain and similar issues have arisen in other locations, so members should be conscious of this;
- Councillor Archer stated that he is a fan of wind turbines and Manea has finished its village plan supporting energy generation in appropriate locations, however, he cannot support this proposal due to its location next to the Ouse Washes and the number of representations from residents;
- Councillor Quince agreed with Councillor Archer, this is an area that is known world wide and he would like to recommend refusal.

Proposed by Councillor Quince, seconded by Councillor Miscandlon and decided that the application be:

Refused for the following reasons -

1. **the proposal has failed to demonstrate that there will be no adverse effect on the nearby Ouse Washes site, which is designed as a Site of Special Scientific Interest, a site of Special Protection Area, a site of Special Area of Conservation and a RAMSAR site and is, therefore, contrary to Policy ENV3 of the East of England Plan 2008, guidance contained within Section 11 of the National Planning Policy Framework 2012 and Policies CS12 (Renewable Energy) and CS14 (Delivering and Protecting High Quality Environments across the District) of the draft Fenland Core Strategy July 2012;**
2. **the proposal contains inadequate information, particularly in the form of visual representations, to enable a full and proper consideration of the application in respect of both short and long distance views; accordingly the proposal has failed to demonstrate compliance with Policies E1 and E8 of the Fenland District-wide Local Plan which seeks to resist development likely to detract from the Fenland landscape and have regard to amenities of adjoining properties.**

(Councillor Archer registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Manea Parish Council at which this application had been considered but had taken no part)

(Councillor Archer registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

P97/12

F/YR12/0436/F

MANEA - BOTTOM FARM, DAYS LODGE ROAD, FODDER FEN, ERECTION OF 3 X 15.545 METRE HIGH (HUB HEIGHT) WIND TURBINES
(MR R FOWLER)

Members considered letters and a petition of objection.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- a consultation response has been received from Natural England:
 - thank you for forwarding a copy of the final report from Just Ecology (August 2012) submitted as part of the above planning applications. Having reviewed the report Natural England agrees with your conclusion that it simply confirms the potential risk to birds posed by the proposed wind turbines. The desk study identifies the displacement risks posed by the turbines given the continued usage of the wider area by Bewick's and Whooper Swans, qualifying species of the Ouse Washes Spa, and, therefore, the potential for significant effect on the spa. The report also highlights the potential collision risk posed by the turbines to species, such as swans and other wildfowl, waders and birds of prey, again many of these associated with the Ouse Washes Spa, Ramsar site. Records also indicate other significant species to be at potential risk including Barn Owl, Hobby, Merlin, Short-Eared Owl and Marsh Harrier. The report confirms that 'there is no available information on flight lines for birds in relation to the Bottom Farm site. However, with extensive usage of areas immediately to the NW, SW and SE of the site it seems inevitable that swans will pass over or through the Bottom Farm site when moving between these areas and when moving from or to their roost sites on the Ouse Washes'. We agree with this statement and with the suggestion that collision risk studies may be helpful in providing flight-line, flight-height and flight activity information. This information should be used to inform a detailed assessment and, where required, identify and agree suitable mitigation measures. In relation to species associated with the Ouse Washes, the assessment will need to demonstrate that the proposal will not have an adverse effect on the integrity of the international site. A key recommendation of the report should, therefore, have been to undertake a detailed survey and assessment, in accordance with Natural England TIN069 guidance, to identify the risks to birds and inform detailed mitigation proposals. Given the sensitivity of the area identified through the desk-study it may not be appropriate to implement 'practical measures' at this stage as it is not clear whether these will have an adverse effect. Mitigation measures should be informed by the detailed assessment and then agreed with relevant parties.
- an additional objection has been received from Save Our Swans:
 - please let our strong objections be shown at the meeting re this unsafe proposal for industrial turbines to be erected (and spin) - so near the protected SSSI and Ramsar sites along the Washes. This proposal goes against the principle of protecting the washes from just such industrialisation. These areas must be protected as deemed to be protected by the SSSI and Ramsar status awarded to the area. To erect wind turbine clusters/high spinning blades would endanger the migratory and overwintering swans of the Welney Sanctuary - as shown by all our previous correspondence at your offices. The SSSI and Ramsar protection was upheld by the Government as shown on your records when our mass of provided petitions, letters of objections, professional and scientifically based research documents and reports by global experts, and TV, radio and other media attention secured the cessation of turbine erection in this protected area. Please be good enough to ensure all our documentary and photographic evidence of valid objection to this dangerous (new) proposal be available for the meeting in order a full picture may be seen by attendees.

Members received presentations, in accordance with the public participation procedure, from Mr Stoneman and Ms Lawrence, objectors to the proposal. Mr Stoneman informed members that he was speaking on behalf of Save Our Swans Welney, Cambs Environmental and Wildlife Protection and all residents who have voiced their concerns by way of objection or petition to what is seen as a highly damaging and detrimental proposal to local wildlife.

Mr Stoneman stated that the objections are based on the sensitive ecological nature of the turbine site in question and the potential risk to local swan population by way of disruption to preferred feeding grounds, habitat disturbance and blade collision, with Cambridgeshire Bat Group also confirming highly protected species of bat as being present and foraging within the area. He expressed the view that the proposed wind farm lays directly within the flight paths of low flying swans as they criss-cross the Fens foraging for food, with the nearby Ouse bird reserves being of international wildlife designation, SSSI and Ramsar status.

Mr Stoneman expressed the opinion that the proliferation of turbine developments has accelerated within Fenland, however, arable lands surrounding the reserves are regarded as being the last "bastion of safe refuge" for an important range of wildlife species, with this unique haven for wildlife remaining unaffected due to the absence of vertical rotating structures that are prominent elsewhere in Fenland. He feels that turbine development of any size or scale within this sensitive ecological haven would be directly in conflict and undermine bird conservation work within this part of the region.

Mr Stoneman referred to the Council's Wind Turbine Policy, which states "to maintain the openness of the landscape without the presence of vertical elements, this is particularly important for areas that are currently "Free from Turbine Development". He stated that local reserves support an important range of bird species and it has been acknowledged that badly sited wind turbines kill or maim protected birds or bats by blade collision, therefore, in his view, if the applicant, after receiving advice and concerns from professional bodies, knowingly or deliberately sites moving structures of any scale, in an area of high bird activity his actions could be viewed as irresponsible, or unlawful, if protected species are killed.

Mr Stoneman expressed the opinion that the financial, economic and somewhat flawed environmental benefits claimed by the applicant is of no interest to local people, however, what is concerning is the impact that his actions may have on the local environment and its ecology. He feels that if this proposal is approved it would be the beginning of the end of an ecology that would be so adversely affected it may be damaged forever.

Mr Stoneman stated that the RSPB support wind energy, but over the years have objected to just 7% of all applications, therefore, the society's objection is of great significance and concern. He expressed the opinion that the Ouse bird reserves are a supreme asset to Fenland, an asset that is the envy of others, an asset it should be privileged to have, an asset that tourists would flock to see and an educational resource that Fenland must protect.

Councillor Archer asked Mr Stoneman if he was a Manea resident? Mr Stoneman advised that he lives between Manea and Welney.

Ms Lawrence stated that she agrees with the comments of Mr Stoneman and speaks on behalf of Save our Swans (SOS) and the 120 people who signed the petition. She stated that she lives in Tipps End and SOS is the voice of those in opposition to this proposal in a unique and sensitive area and there is concern over protecting this wildlife area.

Ms Lawrence expressed the view that swan injury has been established and numbers of swans are in decline, believing that threats to habitats, loss and collision are all prevalent with this proposal providing statistics in relation to this. She feels that the Washes is a special area and there is a duty of care not to endanger its wildlife.

Ms Lawrence made the point that a previous committee has taken a strong line in refusing other applications, explaining the stance taken in relation to this. She expressed her deep concern about the long-term safety of this environment asking that a definitive line be drawn under this once and

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for all.

Councillor Archer asked Ms Lawrence, in relation to mention of figures in relation to collision with turbines and powerlines, were these figures broken down? Ms Lawrence advised not specifically, but turbines were always mentioned.

Members received a presentation, in accordance with the public participation procedure, from Mr Peukert, the applicant's agent. Mr Peukert stated that his client is keen on the environment and maintaining it, but he is a contract farmer spending £60-80,000 on red diesel and is concerned about his carbon emissions, with these turbines saving 12-14 tonnes of carbon per year, which contributes to reducing his carbon emissions. He made the point that the turbines are not of commercial scale, being 15 metre towers and 5 metre blades.

Mr Peukert stated that a full ecology report has been submitted and the turbines have been sited responsibly away from hedgerows, trees and buildings. He expressed the opinion that the report shows that the swan population in the area has been declining for the last 10 years, which is not a result of flying into turbines as there are none in existence.

Mr Peukert expressed the view that mitigation measures would be introduced in putting in the turbines and his client has agreed to change cropping patterns and reduce field sizes. He feels it is interesting to hear from the objectors about the impact of turbines with swans but there are already three turbines operating north-west of this site. He feels that as the site is so remote there would be no visual impact from the proposal.

Councillor Stebbing asked Mr Peukert that, as both applications are on the same field but on different sides and 10 metres from a drain, does the farmer own the fields either side of the site? Mr Peukert advised in the affirmative and that the turbines are close to the edge of the field due to farming patterns.

Councillor Archer referred to the size of the turbines, with smaller blades being able to spin faster which could present a bigger collision impact and asked Mr Peukert why bigger turbines are not being considered that rotate slower? Mr Peukert advised that the smaller scale turbines create more noise and it is felt, therefore, they are easier to avoid.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Mayor expressed the view that the turbines are in close proximity to the edge of the field and drain, with Middle Level Commissioners raising concerns about being in the maintenance strip of the drain and the applicant not approaching them with an application for encroachment. She stated that normally you have to have a 10 metre strip to maintain the drain and similar issues have arisen in other locations, so members should be conscious of this;
- Councillor Archer stated that he is a fan of wind turbines and Manea has finished its village plan supporting energy generation in appropriate locations, however, he cannot support this proposal due to its location next to the Ouse Washes and the number of representations from residents;
- Councillor Quince agreed with Councillor Archer, this is an area that is known world wide and he would like to recommend refusal.

Proposed by Councillor Quince, seconded by Councillor Stebbing and decided that the application be:

Refused for the following reasons

1. **the proposal has failed to demonstrate that there will be no adverse effect on the nearby Ouse Washes site, which is designed as a Site of Special Scientific Interest, a site of Special Protection Area, a site of Special Area of Conservation and a RAMSAR site and is, therefore, contrary to Policy ENV3 of the East of England Plan 2008, guidance contained within Section 11 of the National Planning Policy Framework 2012 and Policies CS12 (Renewable Energy) and CS14 (Delivering and Protecting High Quality Environments across the District) of the draft Fenland Core Strategy July 2012;**
2. **the proposal contains inadequate information, particularly in the form of visual representations, to enable a full and proper consideration of the application in respect of both short and long distance views; accordingly the proposal has failed to demonstrate compliance with Policies E1 and E8 of the Fenland District-wide Local Plan which seeks to resist development likely to detract from the Fenland landscape and have regard to amenities of adjoining properties.**

(Councillor Archer registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Manea Parish Council at which this application had been considered but had taken no part)

(Councillor Archer registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

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F/YR12/0555/F

MANEA - LAND NORTH OF 55A STATION ROAD, ERECTION OF 14 DWELLINGS COMPRISING 2 X THREE-STOREY 5/6-BED, 1 X THREE-STOREY 5-BED, 5 X TWO-STOREY 4-BED AND 6 X TWO-STOREY 3-BED WITH ASSOCIATED GARAGES
(MR P SHORT)

Members considered objections.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Mr Gibbons, an objector to the proposal. Mr Gibbons advised members that he lives at No.58 Station Road, directly opposite this site, and is speaking on behalf of a number of residents who have accompanied him today, whose lives, in his view, would be seriously and adversely affected.

Mr Gibbons expressed the opinion that the proposal is unreasonable and out of character with the surrounding area. He feels it is inappropriate and would seriously affect the lifestyle and quality of residents opposite the site, with the proposal consisting of three-storey dwellings, which would be out of keeping with the surrounding area which consists of bungalows and a number of older style buildings, and very few three-storey properties in the whole village.

Mr Gibbons expressed the view that the proposal is not in keeping with the Local Plan and would alter the northern approach to the village and the entire nature of the village. He feels that despite reassurance in the drainage report he still has concerns about the impact on Station Road, which does flood and he has suffered flooding at this own property.

Mr Gibbons expressed the opinion that the proposal would affect residents quality of life resulting in loss of light and privacy. In his view, the proposal would have dire effect on his own property, which has no direct sunlight whatsoever during six months of the year. In relation to privacy, he stated that residents are concerned about the loss of privacy, with the development being close to the road and existing properties and windows would look directly into the properties opposite and he believes the planned development is unreasonable from many points of view.

Mr Gibbons expressed the view that the site lies outside the Development Area Boundary as detailed in the Fenland District-wide Local Plan, which states that development would not normally be allowed beyond defined Development Area Boundaries. He stated that the proposed development has caused anxiety and stress to a number of residents who live near the site, which is evidenced by the number of elderly and disabled residents who have accompanied him to the meeting today.

Mr Gibbons expressed the opinion that many of the existing properties would be dwarfed by this development, which is entirely unreasonable. He asked that if the Council is 100% people driven that members do not allow, in his view, this inappropriate, unreasonable and unplanned development.

Councillor Hatton questioned Mr Gibbons reference to the fact that six months of the year he would receive any light to his bungalow? Mr Gibbons advised that he was referring to the Winter months when the sun sets at 3pm in the afternoon, during this period the only sun received is in the West which would be blocked out by this proposal so he would receive no light at the rear at all during the Winter.

Councillor Stebbing asked Mr Gibbons if the field is at a lower level than the road? Mr Gibbons advised that it was and his bungalow and another property are also lower the road, which would increase the height of the proposed dwellings.

Councillor Archer asked Mr Gibbons, in his reference to the development being outside the Development Area Boundary, if he was aware that the Parish Council wants to include this land in the Development Boundary and that policies are changing? Mr Gibbons advised that it is the nature, size and proximity to the properties opposite that is being objected to.

Councillor Miscandlon referred to No.50 Station Road as having properties closer across the road than this proposal would be to Mr Gibbons property. Mr Gibbon made the point that nothing overshadows his property at present.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey expressed the view that the site is an obvious infill site, he understands the concerns of the residents opposite, but made the point that Manea is a Growth Village and the proposal is looking to build 10 houses plus 4 affordable houses on this site, which he feels fits in well with the existing pattern of development and abuts the Development Area Boundary.

Mr Humphrey made the point that there are houses both sides of the road towards the village centre, and this proposal would only extend this. He believes that the objector not receiving sunlight for six months of the year is a fallacy.

Mr Humphrey stated that extensive discussions have been undertaken with officers on the scheme, which has been designed so that it is a curved scheme with three accesses, the three central houses are taller to make a focal point and the dyke has been increased by the introduction of open water swales, which pushes the houses back into the site further than the existing building

line. He feels that when the development is complete it would be something that Fenland could be proud of.

Mr Humphrey made the point that the Parish Council and Local Highway Authority have no objections to the proposal and any concerns can be added as conditions. He expressed the view that the site is in a sustainable location, closer to the middle of the village than some other sites and a contribution would be made to a shelter for the railway station.

Mr Humphrey expressed the opinion that a lot of the objections are not relevant in planning terms, with members needing to look at the Core Strategy and ensuring houses are built in the correct locations. He requested that members support the proposal.

Councillor Scrimshaw asked Mr Humphrey if fences could be placed around the water swales to prevent children from accessing them? Mr Humphrey advised that there would be a small hedge along the frontage, but he is happy for this to be conditioned.

Councillor Hatton stated that this proposal reminds him of one in Friday Bridge and asked Mr Humphrey if it would look like this scheme? Mr Humphrey advised that it would be similar to The Leam in Friday Bridge.

Councillor Archer agreed with residents that he does not object to the site being developed, but it is the nature and type of development, asking Mr Humphrey why there is a need for three-storey element in the village of Manea? Mr Humphrey advised that this element creates a central focal point as well as the curves and sweeps of the scheme. It has been purposely designed as an interest vista as people come into the village.

Members made comments, asked questions and received responses as follows:

- Councillor Keane asked if the Middle Level Commissioners comments have been addressed? Officers advised that the Middle Level Commissioners has its own requirements and conditions are attached to the permission to address these;
- Councillor Archer stated that he understand policies have changed and houses are being allowed outside of Development Area Boundaries, but he is not sure there is an identified need for more executive homes in Manea. He raised concern on the three-storey aspect to the development, with some of the existing houses in the area being there for years without imposed views.

Proposed by Councillor Scrimshaw, seconded by Councillor Quince and decided to:

Grant, subject to

1. **prior completion of a Section 106 Agreement**
2. **the conditions reported, plus an additional condition relating to the enclosure of the water swales.**

(Councillor Archer registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Manea Parish Council at which this application had been discussed but had taken no part)

(Members, following determination of this application, took a 10 minute comfort break)

P99/12 **F/YR12/0579/F**
LEVERINGTON - LAND SOUTH OF ROCKSWORTH, ROMAN BANK, ERECTION
OF A TWO-STOREY 4-BED DWELLING WITH INTEGRAL GARAGE
(MR C CROWSON)

Members considered letters of support and one letter of objection.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Mr Edwards, the applicant's agent. Mr Edwards made the point that the existing access to the site has been in its location for many years and can be used for any activity, which could be intensified. He stated that the access has been moved as far south as possible to overcome the overriding concern of neighbours and to increase highway safety, with, in his view, the road in this location used mainly by local traffic.

Mr Edwards expressed the view that the proposal links the dwellings in this part of Leverington, which is a cluster, and meets the criteria of policies. He feels the overall design and appearance is considered acceptable and the proposal is a transitional dwelling between a chalet bungalow one side and a house the other, which is similar to an application at Fitton End at Gorefield.

Mr Edwards expressed the opinion that the proposal respects the privacy of neighbouring properties as the dwelling has been centred in the middle of the plot. He stated that landscaping is to be introduced and the remaining land is to be left as a blank canvass and used as a small holding.

Mr Edwards stated that according to a neighbour the land has not been in agricultural use for 20 years due to it not being ideal for modern machinery and, therefore, needs to be used in a comprehensive way to be economical. He requested that members support the proposal stating that he is happy to accept any conditions deemed appropriate.

Members made comments, asked questions and received responses as follows:

- Councillor Scrimshaw made the point that the Local Highway Authority are still recommending refusal even after the access location has been amended and as a Fenland District Councillor and rural road campaigner he cannot support it, with everyone being responsible if there is a death on that bend by allowing this application. He feels that the site is not in a sustainable location and that in reference to the seven letters of support many do not come from the Roman Bank area;
- Councillor Mrs Mayor asked if the Parish Council has provided any recommendation yet? Officers advised not. Councillor Mrs Mayor asked if there is a new plan showing the new access? Officers displayed the new plan showing the new access on the screen and advised that the County Council has not changed its recommendation reading its comments to members;
- Councillor Archer expressed his surprise at the comments of the Local Highway Authority due to there already being an access that is coming off a bend. Officers advised that there is an existing access, but it is an agricultural access and the land has not been used for some time - the agent did, however, point out that the access had been in use.

Proposed by Councillor Scrimshaw, seconded by Councillor Connor and decided that the application be:

Refused for the following reasons

1. **the proposed development is located in an unsustainable location in the open countryside where residential development is not normally supported unless justified. Development in this location would also harm the distinctive character of the locality as a result of the introduction of another element of built form in what is generally a loose knit collection of buildings in the open countryside, and would thus begin to change the fairly open and fragmented nature of development in the immediate vicinity. The proposal is, therefore, considered to be contrary to Policies H3, H16 and E8 of the Fenland District-wide Local Plan and Policies CS1, CS10 and CS14 of the draft Fenland Core Strategy (July 2012)**
2. **the proposed development would also be detrimental to highway safety on the grounds that inadequate visibility is available each side of the vehicular access from the site to Roman Bank, contrary to Policy H3 of the Fenland District-wide Local Plan and Policy CS13 of the draft Fenland Core Strategy (July 2012).**

**P100/12 F/YR12/0587/F
MARCH - LAND WEST OF GREENACRES, ELLIOTT ROAD, ERECTION OF 3 X
TWO-STOREY 3-BED DWELLINGS WITH DETACHED GARAGES
(MISS A WARD)**

Members considered objections.

Officers informed members that:

- the agent has confirmed that due to the nature of the private drive, refuse collection will be carried out by a private company as part of a management plan for the three dwellings
- an amended plan has been received showing the pedestrian visibility splays on each side of the access from Elliott Road, which supercedes the plan shown on the agenda
- Middle Level Commissioners have commented that the development area is on land where problems with flooding have previously been reported and it is not known if these problems have been resolved. In view of the limited available site area and in the absence of any supporting documentation it is considered that the applicant has not yet provided adequate evidence to prove that a viable scheme for appropriate water level/flood risk management that meets current design standards exists, or that it could be constructed and maintained for the lifetime of the development. Applicant should be asked to clarify the method and location of surface water disposal devices.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey made the point that the site has planning permission, therefore, at some stage it must have been deemed acceptable for development.

Mr Humphrey referred to the previously refused proposal for the site, which was for bungalows and it was refused for having too small amenity areas and this proposal is now for chalet bungalows, which provides for a larger amenity space. He stated that refuse would be collected using a private company.

Mr Humphrey expressed the opinion that there are a lot of similarities with this application and the application for Councillor Mrs French, both being seven dwelling off a private drive, with this one being off a minor road and Councillor Mrs French's application onto a major road. He feels there is a lack of consistency regarding seven dwelling off a private drive and between this application and the one for Councillor Mrs French. He referred to the officers' conclusion on this proposal, which is

not mentioned in the report for Councillor Mrs French's application.

The Chairman stated that the suggestion of Mr Humphrey regarding this application and Councillor Mrs French's application is out of order, which was agreed by members.

Councillor Miscandlon asked, in relation to the waste removal by a private company, who would this be from and for how long? Mr Humphrey that this would be arranged and paid for by the owners of the properties.

Councillor Archer stated that there are similar schemes on other properties and what protection do the owners have from the company going bust? Mr Humphrey advised that the owners would have to enter into some sort of insurance scheme to safeguard this.

Councillor Scrimshaw asked Mr Humphrey why the proposal has moved away from the application that was approved previously? Mr Humphrey advised that there were concerns that there was not enough amenity space for these properties, which has been addressed by changing the dwellings from bungalows to chalets.

Councillor Hatton asked Mr Humphrey in relation to three dwellings approved in 2008 did this permission just run out? Mr Humphrey advised that this application has time expired and he does not know if there was an application to extend the permission for this proposal.

Councillor Keane asked Mr Humphrey if residents on West End use this access as a back entrance? Mr Humphrey advised that the access is used by four other dwellings already so this proposal is upgrading the access for those four dwellings.

Members made comments, asked questions and received responses as follows:

- Councillor Bucknor asked what is the difference between this application and F/YR12/0590/F as they look similar? Officers advised that each application has to be dealt with on its each individual merit. Councillor Mrs Newell also questioned how one application can be recommended for approval and another similar one for refusal? Officers advised there has been changes to policies, a move away from garden land being previously developed land, a move away from minimum density and a move towards the National Planning Policy Framework and Recap design guides;
- Councillor Bucknor asked if the road is going to be to adoptable standard even though the refuse vehicles cannot access the development? Officers advised that the Local Highway Authority states that the width is not available to provide an adopted road;
- Councillor Connor asked where the bins would be collected? Officers advised that Mr Humphrey has stated that his client would be prepared to make their own management arrangements for refuse collection.

Proposed by Councillor Archer, seconded by Councillor Scrimshaw and decided that the application be:

**Refused for the following reason -
the proposed development will result in seven dwellings being served from a private drive, which by virtue of the lack of footpaths could lead to the potential for pedestrian/vehicular conflict; this coupled with the overdevelopment of the site in a manner which is out of character with the sites immediate environs would result in the development being contrary to Policy E8 of the Fenland District-wide Local Plan 1993, Policy CS14 of the emerging**

Fenland Communities Development Plan and the National Planning Policy Framework.

(Councillors Keane and Quince registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they were present at the meeting of March Town Council at which this application had been discussed but had taken no part)

P101/12 **F/YR12/0590/F**
MARCH - INDUSTRIAL UNIT 2, WOODVILLE DRIVE, WESTRY, CHANGE OF USE
OF INDUSTRIAL UNIT TO 4 X 2-BED FLATS
(MR AND MRS FRENCH)

Members considered objections.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that one further letter of objection has been received stating that:

- part of the premises is already rented out to a garage which employs three staff and dividing the premises up will make it difficult to operate his business
- if advertised locally, the unit could be rented out as advertising nationally is unlikely to find tenants
- entrance off Wisbech Road is dangerous
- premises are relatively new and it would be more appropriate to lower the rent
- no adequate turning for refuse collection vehicles
- no footpath along the private drive.

Members received a presentation, in accordance with the public participation procedure, from Mr Moore, an objector to the proposal. Mr Moore expressed the view that the premises is not very old, in a clean condition and to convert it to flats would be a 'crying shame', with every avenue needing to be explored before a change of use being allowed.

Mr Moore expressed the opinion that the premises could attract a tenant, stating that a local plant hire company has been refused tenancy on this unit recently, his own business premises are full and this company was told that the applicants are no longer interested in renting the unit out, which, he feels, is a contravention of Policy CS4. He expressed the view that East Anglian Customs has also contacted him to see if he has any available units as the applicants are putting pressure on them to move out, with it being his belief that there would be another application to convert these premises to flats also.

Mr Moore asked who is going to police the agreement long-term for refuse collection, with, in his view, there being a potential situation where the provider would not collect and making the point that lots of bins near a major road is dangerous.

Councillor Connor asked Mr Moore how long is the lease for the premises next door to this proposal? Mr Moore advised that there is 6-7 months left of a three year lease.

Members received a presentation, in accordance with the public participation procedure, from Mr Taylor, the applicants' agent. Mr Taylor made the point that the access road is a joint one and his clients see it as an advantage to remove the commercial element from it, although there is satisfactory visibility at the entrance. He stated that the maintenance of the access road is covered by a joint agreement contained in the leases of the three existing properties, which would also apply to the new property, and a fixed index linked sum of money is paid by these properties and if a firm was to go into liquidation a sum of money would be available to roll over to the next

successor.

Mr Taylor referred to the previous speaker's comments regarding refuse collection and made the point that whilst there would be a three bin system, it would be large bins regardless of how many flats were occupied. He expressed the view that the issue of people reversing down the road is not relevant as there is reasonable turning space on the site.

Councillor Bucknor asked Mr Taylor what is the width of the access road? Mr Taylor advised that it is a joint serviceable access road and he believes it would be 5 metres minimum.

Councillor Archer asked Mr Taylor what is his knowledge of the marketing scheme undertaken as he knows of people who wanted to rent a unit and have been refused? Mr Taylor advised that his clients have been very anxious to find a tenant and have even offered the premises without rent to a party who were unable to proceed, making the point that his clients do not pay over £5,000 in business rates for the premises to remain empty. There is a full account of what marketing has been undertaken in accordance with policies.

Members made comments, asked questions and received responses as follows:

- Councillor Stebbing reminded members that turning right did cause a major accident for Councillor Mrs French's son in close vicinity to this site and this should be taken into consideration;
- Councillor Hatton asked if the car business that exists on site at present is to be removed? Councillor Connor advised that it is to remain at present;
- Councillor Scrimshaw asked if it is five properties served by this access at the moment? Officers advised that it was five properties and two industrial units. Councillor Quince corrected that it is three properties and two industrial units;
- Councillor Archer stated that he has all sorts of concerns with this proposal, there are workplace homes, normal homes, industrial units all in vicinity of this site and vehicles movements would be higher with this proposal. He knows that businesses have been refused tenancy for these industrial units and he is not convinced that an adequate marketing exercise has been undertaken, feeling that there is too much commercial activity surrounding the site;
- Councillor Miscandlon asked if officers are satisfied that the unit has been marketed appropriately? Officers referred to the conclusion in the report, where it is felt that appropriate marketing has been undertaken;
- Councillor Connor expressed the opinion that if the unit has been marketed properly it is known in this economic climate that it is going to be difficult to let out so his view would be to grant permission for the proposal;
- Councillor Archer referred to the last application (F/YR12/0587/F) and this application in relation to the number of properties served by a private access. Officers advised that it is considered that the access issues can be dealt with via a management agreement and this development is a flat development with shared amenity, with the activities of one industrial unit being supplemented by four flats, which officers consider is an acceptable change of use that would not be to the detriment of highway safety. The other application serves four dwellings currently, is not able to be provided to adoptable standard and does not have existing uses with regard to vehicular movements and in relation to refuse and recycling it

would rely on a private contractor or bins would need to be brought to the end of the access way. Councillor Archer stated that he cannot see any merits in this application.

Proposed by Councillor Mrs Newell, seconded by Councillor Connor and decided by the use of the Chairman's casting vote that the application be:

Granted, subject to the conditions reported.

(All councillors present declared a Non-Pecuniary Interest in this application, by virtue of one of the applicant's being a fellow councillor)

(Councillors Keane and Quince registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they were present at the meeting of March Town Council at which this application had been discussed but had taken no part)

**P102/12 F/YR12/0600/F
WIMBLINGTON - LAND WEST OF 9 MARCH ROAD, ERECTION OF A SINGLE-STOREY 4-BED DWELLING INVOLVING PARTIAL DEMOLITION OF EXISTING GARAGE
(MR AND MRS DHILLON)**

Members considered one representation.

Members received a presentation, in accordance with the public participation procedure, from Mr Brand, the applicants' agent. Mr Brand advised members that this proposal is a re-submitted scheme of a previously refused application for a two-storey house, with comments taken on board and a single-storey dwelling designed for the site as recommended by the committee.

Mr Brand stated that the proposal also take into account the comments expressed by neighbours, with the dwelling situated 3 metres further south, the number of trees reduced and new fencing proposed. He expressed the view that the pond on site would have an overflow to a soakaway in accordance with Building Regulations.

Mr Brand made the point that he has worked with officers and the Planning Committee and made all the amendments that were requested.

Councillor Scrimshaw asked Mr Brand if there is cladding around the building? Mr Brand advised that some of the building is clad to give it a barn style appearance. It was felt that a rural character building was appropriate as the site is on the edge of the village overlooking countryside, which was supported by officers.

Councillor Quince asked Mr Brand what the width of the access roadway would be? Mr Brand advised that it is 4.1 metres wide, which is more than adequate to serve a single dwelling. Councillor Quince commented that he would have liked to see it wider than this.

Councillor Hatton reminded members that the committee previously felt that the site was ideal for development, but did not support a two-storey dwelling with a balcony, which created overlooking to other properties.

Proposed by Councillor Mrs Mayor, seconded by Councillor Archer and decided that the application be:

Granted, subject to the conditions reported.

P103/12 **F/YR12/0614/EXTIME**
WISBECH - 151-153 LEVERINGTON ROAD, CONVERSION OF TWO FLATS (1 X 3-BED AND 1 X 2-BED) TO 4 X 2-BED HOUSES INVOLVING TWO-STOREY AND FIRST-FLOOR EXTENSIONS (RENEWAL OF PLANNING PERMISSION F/YR09/0276/F)
(MR D HUBBARD)

Officers informed members that within the History section of the committee report, Section 2, Part 2.2 should read F/YR09/0276/F.

Members received a presentation, in accordance with the public participation procedure, from Mr Brand, the applicant's agent. Mr Brand expressed the opinion that this application is a straight forward extension of time application, which he feels should not be before committee and is only before members due to an objection from the Town Council.

Mr Brand made the point that a bungalow has been approved at the rear of the proposal by the Planning Inspectorate, who considered this application in the appeal. He expressed the view that there are no highway changes and no overlooking, with the proposal being the same as previously approved so it would be inconsistent if opinion has now changed.

Proposed by Councillor Archer, seconded by Councillor Mrs Mayor and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Bucknor registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Wisbech Town Council at which this application was discussed but took no part)

P104/12 **F/YR12/0620/F**
MURROW - LAND NORTH-EAST OF GORE VILLAS, MILL ROAD, ERECTION OF A TWO-STOREY 2-BED DWELLING
(MR B BOSTON)

Officers informed members that Wisbech St Mary Parish Council has made the following comments "Recommend refusal as it is within 9 metres of the North Level Drainage pipe". These comments are acknowledged, however, as the North Level Internal Drainage Board has now relaxed its requirements to protecting the area within 4.5 metres of the pipe, no concerns are raised.

Members received a presentation, in accordance with the public participation procedure, from Mr Barker, the applicant's agent. Mr Barker informed members that the 2006 application that was refused for a single-storey dwelling has a small overlap with this site but is not the same site as it lies on a different piece of land.

Mr Barker made the point that a proposal was before members in January and the applicant was told that it was not acceptable as it was for a mobile home. This scheme addresses those concerns and has been produced in negotiation with officers and North Level Drainage Board.

Members made comments, asked questions and received responses as follows:

- Councillor Archer asked for the refusal reason for the application in January? Officers

advised that this application was for a mobile home on site, which was not a permanent structure and there were flood risk issues;

- Councillor Mrs Mayor asked why North Level has relaxed its buffer zone distance? Officers advised that they believe it is due to the characteristics of the drain at this point and it being at the end;
- Councillor Scrimshaw stated that there is ribbon development along this road, the proposal is near to village facilities and he applauds its design in a rural location and would support it.

Proposed by Councillor Scrimshaw, seconded by Councillor Archer and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Scrimshaw registered, in accordance with the Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Wisbech St Mary Parish Council at which this application was discussed but took no part)

**P105/12 F/YR12/0623/F
COATES - LAND NORTH OF 47 MARCH ROAD, ERECTION OF 11 DWELLINGS
WITH GARAGES COMPRISING OF 5 X TWO-STOREY 3-BED (3 AFFORDABLE),
4 X TWO-STOREY 4-BED AND 2 X THREE-STOREY 5/6-BED INVOLVING
DEMOLITION OF EXISTING WAREHOUSE
(MR J THORY)**

Members considered objections.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that Coates is a Limited Growth Village, where developments of up to 9 dwellings are allowed and this proposal is for 8 dwellings plus 3 affordable dwellings, in close proximity to the village school.

Mr Humphrey stated that Michael Thomas has been engaged and a solution has been produced to the highway issues. He expressed the view that the proposal would be a quality development, including attractive landscaping and water swales.

Councillor Miscandlon asked Mr Humphrey if the proposal provides extra street lighting? Officers advised that street lighting would form part of the highway improvements that are put in place and Condition 15 of the recommendation covers lighting issues.

Councillor Scrimshaw asked if the water swales at the front of the site can be conditioned? Mr Humphrey advised in the affirmative.

Members made comments, asked questions and received responses as follows:

- Councillor Connor expressed the view that this is a lovely site, with a lovely water feature and he would support it;
- Councillor Archer made the point that this proposal is identical to the one in Manea, he has the same comments in relation to the three-storey element but there are no local objections;

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- Councillor Mrs Mayor welcomed the improvements to the junction as she would have been unable to support the proposal without these improvements.

Proposed by Councillor Mrs Mayor, seconded by Councillor Connor and decided to:

Grant, subject to

1. **prior completion of a Section 106 Agreement**
2. **the conditions reported, plus an additional condition regarding the enclosure of the water swales.**

(Councillor Miscandlon registered, in accordance with Paragraph 15 of the Code of Conduct on Planning Matters, that he took part in the discussion of this application at the meeting of Whittlesey Town Council at which it was discussed and stated that he will consider all relevant matters before reaching a decision on this proposal)

(Councillors Mrs Mayor and Stebbing registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they were present at the meeting of Whittlesey Town Council at which this application was discussed but took no part)

P106/12 **F/YR12/0624/F**
DODDINGTON - CONEYWOOD SOUTH FARM, WOOD STREET, ERECTION OF A
24.6 METRE HIGH (HUB HEIGHT) WIND TURBINE
(MR A LAWSON)

Members considered objections.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- Cambridge Airport has not objections
- JRC on behalf of UK Fuel and Power has cleared the proposal with respect to radio link infrastructure operated by National Grid Gas Networks
- Sport England comments that the proposal does not directly relate to the loss of a sports facility, but it could have an adverse impact on the nearby Chatteris Airfield, which is used for air sports and is the home of the North London Skydiving Centre. The centre is approximately 2.3km south-east of the proposed turbine, which is within the 3km safeguarding zone around the airfield identified in the adopted FDC Wind Turbine Study (2009), which states that 'wind turbines are unlikely to be found acceptable in this zone'. The proposed development is, therefore, likely to introduce an unacceptable obstruction in the vicinity of the airfield, which, if permitted, could prejudice the safe operation of this facility. The site itself has been designated a 'Significant Area for Sport' (SASP), which recognise the most important sites for individual sports, particularly those which make use of the natural environment for facility provision. SASPs have been identified by the relevant national governing bodies of sport (NGBs) in partnership with Sport England, and identify sites that are both nationally and regionally significant for that sport. Whilst SASPs do not carry a statutory status, they do carry the weight of being identified by the NGBs as the most important sites for their sports and also being acknowledged and supported by Sport England, the Government's sports development agency. Chatteris Airfield has been identified as being of regional importance for the sport of parachuting, as identified by the British Parachuting Association (BPA). It is one of only four sites within the whole of England to be designated as a SASP for parachuting, and the only site within the East of England region. Given the above information we believe there is a strong case for refusing

planning permission in this instance, as the proposal will have an adverse impact on the operation of Chatteris Airfield for airports, contrary to guidance contained within the adopted FDC 'Wind Turbine Study' (2009). We, therefore, wish to object to this application for the above reason. On a separate issue, it is also noted that the wind turbine will only be a distance of c.170 metres north of the northern boundary of the Wimblington Road Recreation Ground, Doddington, which contains senior and junior football pitches. Whilst Sport England does not currently have any detailed guidance in relation to the impact of wind turbines on nearby or adjacent sports facilities, it is possible that such structures can adversely affect the operation of such sites with regard to issues such as visual distraction and shadow flicker

- applicant's response to objections from Chatteris Airfield:
 - a detailed response has been submitted by the applicant, which deals with the impacts to parachuting and flying by reference to various publications from the Civil Aviation Authority, UK Air Information and the British Parachute Association (BPA)
 - Parachuting Impact Assessment - turbines below 90 metres are not an obstruction to free-fall. The key difference between a parachute landing area (PLA) and a drop zone (DZ) is that the drop zone denotes a portion of airspace, whereas the landing area denotes an area on the ground. The most prescriptive document on safeguarding PLAs and DZs is within the operations manual of the BPA. The BPA ops manual (as well as cap 660) point to a distance of 1.2km from the centre of the PLA as the key distance beyond which a turbine should not have any impact on the use of the site; see also DZs below. This figure is both consistent between the documents and also consistent with the distance beyond which other special hazards such as water bodies can be disregarded. This figure should not be taken as an absolute rule, since every site has its own individual characteristics and it can be that an area beyond 1.2km represents an important overshoot area. Such an area must be free from hazards and perhaps downwind of the PLA for the prevailing south-westerly wind direction. The North London Skydiving Centre will have maps clearly depicting the PLA and associated overshoot areas. It also suggests only objects, including wind turbines, above 90m in height above ground level can be classified as an aerial hazard, ie affecting the DZ. For the proposed development, a turbine well under 90m high and substantially more than 1.2km from the centre of the PLA, does not conflict with the requirements as set out in the BPA Ops Manual or CAA publications. In fact the turbine lies 2.2km from the centre of the DZ and still further from the centre of the airfield. In addition, and of high relevance, the turbine lies beyond the village of Doddington with respect to the airfield and nearly 1km beyond the A141. The village of Doddington comprises residences, a church with a spire, a telecoms mast, an old windmill and greenhouses. To suggest that these obstacles mostly at closer range to the PLA constitute a manageable hazard, whilst a small wind turbine beyond does not, appears highly disingenuous. Note also that the turbine is located adjacent to a body of water, which must also be avoided by parachutists. It cannot be considered as an appropriate overshoot area because of both the large distance from the correct PLA and because it would entail overflying the A road and the village of Doddington. In short it would be extremely unsafe for any parachutists to be anywhere near the proposed turbine site.
 - Impacts on Flying - Chatteris Airfield is unlicensed and hence not subject to the regulation of the CAA. However, the CAA do publish guidance within Civil Aviation publication Cap 793 - unlicensed aerodromes. The relevant extract from Chapter 4 on aerodrome physical characteristics, paragraph 3.6 on runways states "the runway should, wherever possible, be designed such that trees, power lines, high ground or other obstacles do not obstruct its approach and take-off paths. It is recommended that there are no obstacles greater than 150ft above the average runway elevation within 2,000m of the runway mid-point". Chatteris Airfield comprises as many as 5

grass runways of various lengths up to 570m long. The nearest runway (03/21) lies along the north-west border of the field. The proposed turbine is approximately 2.3km from the mid-point of this nearest runway and as such well beyond the limits of physical safeguarding applying to unlicensed aerodromes. Note that the turbine also lies underneath the obstacle limitation surfaces that would apply in the event that this was a licensed aerodrome. It is also worth noting the published aerodrome chart for Chatteris states that circuits are located away from the village of Doddington and requires that aircraft "do not overfly villages". Hence the proposed turbine is fully compliant with published guidelines and cannot be considered as a physical obstruction to flying.

- the applicant concludes from this information and the publications referenced that the proposed development is fully compliant with requirements as set out in that documentation and in no way should be considered as having any potential to impact either safety or the normal activities of the airfield
- officer assessment is that the additional information has been considered and it is noted that the effects on Chatteris Airfield have been addressed in some detail, however, it is still the case that the proposed turbine lies within the informal safeguarding zone as identified in the FDC Wind Turbine Policy Guidance. In addition, the proposal is considered to have an adverse effect on the local landscape quality as a result of the cumulative impacts of this and surrounding operational and approved turbines.

Members received presentations, in accordance with the public participation procedure, from Mr Rust and Mr Oakey, objectors to the proposal. Mr Rust informed members that he is the Chief Instructor, General Manager and Director of the North London Parachute Centre Ltd at Chatteris Airfield.

Mr Rust informed the committee of his role and explained that the Parachute Centre is concerned about the proposal as it is within the airfield exclusion zone. He noted that there were a number of similar applications in the local area and that in general the Centre had no objections to turbines, indeed liking the idea of renewable energy and the aesthetics of the turbines themselves.

Mr Rust stated that he was pleased that Sport England supported the Parachute Centre in this matter and they had worked hard over the past 10 years to achieve the status as a centre of sporting interest. He expressed concern that if the turbine just the other side of Doddington village was allowed to go ahead then it may lead to others going up in close proximity to the Airfield.

Mr Rust stated that he was not particularly concerned about parachutists being affected by the object, but he was concerned that in the event of an aircraft emergency it could affect a pilot who may be heading towards the turbine at the time and that this could cut down on the margin of safety for those aboard and those on the ground. He expressed the opinion that if this proposal is allowed then others would be allowed to encroach upon the exclusion zone surrounding the airfield, which would cut down the safety margin for flying, ultimately affecting the business and as 15 people rely upon the Parachute Centre for their livelihood, all who lived locally, this would be undesirable.

Mr Oakey informed members that he is a microlight pilot and also a local resident who lives in Doddington. He stated that microlights would not normally fly in the vicinity of the proposed turbine, but in the event of an engine failure it could be a distraction to a pilot, with any object in front of an aircraft when it comes into land not being an ideal situation.

Mr Oakey expressed the view that weather and wind may mean that aircraft may need to fly over this area. He made the point that turbines are all over Ransonmoor, which is not making the area good for flying.

Councillor Miscandlon asked Mr Oakey if he trained pilots for microlights? Mr Oakey advised that he did not, but that student training did take place at the airfield.

Members made comments, asked questions and received responses as follows:

- Councillor Hatton expressed his sympathies with the objectors as he has experienced an engine failure in 1990 that resulted in a crash landing at a time when turbines did not exist;
- Councillor Archer stated that he generally is supportive of these proposal, but thinks it is an inappropriate location due to the restrictions it would place on the objectors business.

Proposed by Councillor Archer, seconded by Councillor Connor and decided that the application be:

Refused as the proposal is contrary to -

1. **the Fenland Wind Turbine Development Policy Guidance June 2009 as it is considered to have an adverse cumulative visual impact in the area and has failed to take account of the informal safeguarding zone which applies to the parachute drop zone at Chatteris Airfield**
2. **Paragraph 109 of the National Planning Policy Framework 2012 in that it does not conserve and enhance the surrounding natural environment**
3. **Policy CS14 of the draft Fenland Core Strategy July 2012 which seeks to deliver and protect high quality environments across the District**
4. **Policies E1 and E8 of the Fenland District-wide Local Plan, which seeks to resist development likely to detract from the Fenland landscape, be of a design compatible with their surroundings and have regard to amenities of adjoining properties**
5. **Policies ENV2, 3 and 4 of the East of England Plan, which seeks to protect and enhance the diversity and local distinctiveness of countryside character, ensure development respects/enhances local landscape character and minimise damage to biodiversity.**

**P107/12 F/YR12/0670/F
GUYHIRN - LAND EAST OF CORNER BARN, MOUTH LANE, ERECTION OF A
TWO-STOREY 5-BED DWELLING WITH ATTACHED GARAGE AND 2 X SINGLE-
STOREY OUTBUILDINGS FOR USE AS WORKSHOP/GARAGE AND STORAGE
(MR AND MRS N KING)**

Members considered letters of support.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- Cambridgeshire County Council's Archaeology states that an archaeological investigation is required
- the Local Highway Authority has no objections or further comments
- the Parish Council supports this development and recommends approval
- the above consultation responses have been noted, however, are not sufficient enough to outweigh the concerns raised in the report.

Members received a presentation, in accordance with the public participation procedure, from Mr Edwards, the applicant's agent. Mr Edwards stated that the site is paddock land, which had been out of food production for a number of years.

Mr Edwards stated that the applicant is a local businessman who has become attached to the area and converted the barn which is adjacent to the site and planted all the trees on the site. He expressed the view that the proposal is an executive plot with an executive dwelling, which complies with Policy CS3 C and IPPLS.

Mr Edwards made the point that the design has been cited as out of a catalogue, but he has been advised that this design has not been built previously in this country. He made the point that the application has achieved support from neighbouring properties and the Parish Council.

Mr Edwards expressed the view that the proposal provides areas for vegetables and fruits trees, with the dwelling orientated so that it make best use of the sun, and a reed bed system is proposed for foul water. He made reference to the comment that the scale of the dwelling is excessive, but he believes it to be aspirational and is very much a property with a Wow factor in executive grounds.

Mr Edwards stated that the proposed separate garage is required to house the applicant's toy caravan and machinery. He expressed the opinion that each application should be taken on its own merits and asked members to support the application, with conditions.

Members made comments, asked questions and received responses as follows:

- Councillor Scrimshaw referred to the history of the site and asked why Corner Barn, where the applicant lives, is not in the history as this site is the paddock area for this barn, which was converted not many years ago? Officers acknowledged Councillor Scrimshaw's point and stated that the history captured is for the actual site only;
- Councillor Hatton made the point that there are no photographs of the barn conversion, together with the entrance to the site, which could have been misleading to members if they had not been on the site visit;
- Councillor Scrimshaw expressed his disappointment that the letters of support were not all from neighbours in that area;
- Councillor Mrs Mayor expressed her disappointment with the design of the dwelling for a large mock Tudor house and she feels it would have been better if it had blended into the surrounding and feels that a better design could have been achieved;
- Councillor Archer made the point that design is a personal choice and he thinks that as it is an executive house it should not necessarily blend in;
- Councillor Stebbing made the point that there are a mix of properties in this location, with the other side of the barn conversion there being a old country house. Officers advised that the issue is also in relation to sustainability which is one of the reasons for refusal.

Proposed by Councillor Archer, seconded by Councillor Bucknor and decided to:

Grant, subject to suitable conditions, to include:

- **the development permitted shall be begun before the expiration of 3 years from the date of this permission**
- **materials**
- **notwithstanding the information provided, detailed landscaping scheme to be submitted and approved in writing etc**
- **landscaping implementation**

- archaeological investigation (as requested by CCC Archaeology)
- the development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved (as requested by Environment Agency)
- detached outbuilding to be used for domestic use only and no trade/business to be carried out therefrom
- approved plans.

Members do not support officers recommendation of refusal of planning permission as they feel that it is a quality development, it is not out of character with the area and has local support, which all outweigh the refusal reason of unsustainability.

(Councillor Scrimshaw registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Wisbech St Mary Parish Council at which this application had been considered but had taken no part)

P108/12 **F/YR12/0678/F**
TYDD ST GILES - LAND SOUTH-WEST OF NUTWALK FARM, BYTHORNE BANK,
ERECTION OF A 24.6 METRE HIGH (HUB HEIGHT) 50KW WIND TURBINE AND
CONTROL UNIT
(MRS J FOX, FOX AND SON)

Members considered objections.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- the Parish Council do not support the proposal as it is out of character and the service point is in Lincolnshire
- South Holland District Council has no objections
- Cambridge Airport has no objections
- 10 further letters of objection have been received with concerns regarding the proposal being a blot on the landscape, the disadvantage outweighs any benefits, it would be a danger to passing cars, horse riders and dog walkers, it could throw off lumps of ice, noise, precedent, 2-3 smaller turbines would be better, adverse impact on the visual amenities of the surroundings, no possibility of landscaping for screening, effect on breeding birds of prey, turbines are changing the character from agriculture to light industrial use, it will dominate the surroundings, loss of view, no community benefits, it would be undemocratic to approve given the amount of community opposition, it breaches the 'no turbines within 2km of residential properties' policy, impact on historic buildings, the area is already up to saturation, cumulative impact resulting in a change of character, South Holland District Council recognises the site is not appropriate.

Members received a presentation, in accordance with the public participation procedure, from Ms Stacey, the applicant's agent. Ms Stacey informed members that she is Chartered Town Planner and made the point that the principle has been established on the site by the approval of a wind turbine in a similar location to the one proposed in this application, with the only changes being the introduction of the National Planning Policy Framework, Core Strategy and the Council's Wind Turbine Guidance.

Ms Stacey expressed the view that the guidance confirms that this landscape character area has a high capacity and the proposal would be located in a similar position to an approved turbine, therefore, she is confused as to why there should now be an adverse visual impact. She expressed the opinion that significant weight should be attached to the applicant's need, with £20,000 spent annually on diesel which is not environmentally or economically sustainable, and the proposal would produce energy for the farming operations and for the residential property on the site, thereby reducing the running costs of the farm business, with any excess being exported to the National Grid.

Ms Stacey expressed the opinion that the proposed turbine would sustain the economic viability of the farm, with the benefits of the proposal outweighing the visual impacts and requested approval of the proposal.

Councillor Archer asked Ms Stacey why no auto-tracking information has been provided with the application? Ms Stacey advised that there was a mistake in the statement and the delivery of the turbine components would not involve abnormal vehicles, having been in discussions with the Local Highway Authority regarding this.

Councillor Hatton asked Ms Stacey how close this turbine is to the Fenland and Lincolnshire border? Ms Stacey advised that she did not have this information to hand. Councillor Hatton stated that it is his understanding that this turbine is feeding into a property in Lincolnshire and asked Ms Stacey why the turbines was not being positioned in Lincolnshire? Ms Stacey advised that this location has been accepted previously and is why this application was submitted.

Councillor Mrs Newell asked Ms Stacey if the applicant had applied to Lincolnshire and been approved? Ms Stacey advised that she was not aware of this information.

Members made comments, asked questions and received responses as follows:

- Councillor Stebbing asked in relation to Councillor Mrs Newell's question if this is something that she is aware of? Councillor Mrs Newell stated that it is something that she has been informed, but has no proof. Officers made the point that South Holland District Council has raised no objections to this proposal;
- Councillor Mrs Newell asked how near is the proposal to the neighbouring bridleway? Officers advised that the Countryside Access Team has stated there are no public access ways in the location.

Proposed by Councillor Stebbing, seconded by Councillor Scrimshaw and decided that the application be:

Refused, subject to the expiry of the site notice with no new issues being received, for the following reasons -

- 1. the proposal is contrary to the Fenland Wind Turbine Development Policy Guidance June 2009 as it is considered to have a dominant and adverse visual impact in the area**
- 2. the proposal does not conserve and enhance the surrounding natural environment as such it is contrary to Paragraph 109 of the National Planning Policy Framework**
- 3. the proposal is contrary to Policies CS12 (Renewable Energy) and CS14 (Delivering and Protecting High Quality Environments across the District) of the emerging Fenland Communities Development Plan July 2012**
- 4. the proposal is contrary to Policies E1 and E8 of the Fenland District-wide Local Plan, which seeks to resist development likely to detract from the Fenland landscape and**

have regard to amenities of adjoining properties

5. the proposal is contrary to Policies ENV2 and 4 of the East of England Plan, which seeks to protect and enhance the diversity and local distinctiveness of countryside character and ensure development respects/enhances local landscape character
6. no auto-tracking information has been submitted for a suitable route to indicate whether or not temporary works are necessary to the public highway to gain a satisfactory access to the site for construction purposes, accordingly the scheme is considered contrary to Policy E8 of the Fenland District-wide Local Plan.

(Councillors Connor, Mrs Mayor, Miscandlon, Scrimshaw and Stebbing registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters that they had been lobbied on this application)

(Councillor Keane had left the meeting prior to determination of this application)

P109/12 **F/YR12/0681/F**
WISBECH - THE BUNGALOW, PANSWELL LANE, ERECTION OF A TWO-STOREY 4-BED DWELLING AND DETACHED DOUBLE GARAGE INVOLVING DEMOLITION OF EXISTING FIRE DAMAGED DWELLING (MR D PARRIN)

The committee had regard to its inspection of the site (as agreed in accordance with the public participation procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that amended plans have been received showing the trees on site and an amended Design and Access Statement removing reference to Planning Policy Statements.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey expressed the view that this proposal is a replacement dwelling for a bungalow that was badly fire damaged. He stated that the business owner next door to the site purchased the property as he thought it would be an ideal opportunity to have a dwelling next to his business.

Mr Humphrey expressed the opinion that this application should have been determined under officers' delegated powers.

Members made comments, asked questions and received responses as follows:

- Councillor Connor expressed the view that this is one site where he thinks members should support the officers' recommendation and if it is not approved the old fire damaged building could be in situ for decades;
- Councillor Scrimshaw referred to the officers' opinion of the proposal being in character with the rural community, but in his view, the proposal would fit in a town or urban development as it is a town house in the countryside, which he feels does not comply with policy. He stated that the dwelling has no windows at the side to let in light and it is not making use of its open countryside views to the west. He referred to another application that was deferred for being of a bland style that is in close proximity to this site and he would like to see this proposal deferred for the agent to produce a quality design. Officers advised that in their view the building fits in well, it is in its own setting, has extensive hedging and is a two-storey building against a two-storey height business. If the site is opened and design elements introduced it would produce a building that is visually intrusive in the countryside. Councillor Scrimshaw disagreed, he made the point that the dwelling on site was originally

an agricultural dwelling and he feels that farmhouse type dwellings that members have seen at Doddington or Coates would fit perfectly on this site, with this proposal, in his opinion, having no quality of design;

- Councillor Archer stated that he can see the point of officers who are recommending approval of a workplace home effectively;
- Councillor Hatton raised concern over the actual size of the plot. He is supportive of its approval, but concerned that the curtilage of the site is the red line and that 50% of the site could be built on without planning permission if the Permitted Development Rights are not removed. Mr Humphrey, who was allowed to speak by the Chairman, stated that he is happy to speak to his client and come back to the committee;
- Councillor Archer expressed the view that if the agent is happy to meet Councillor Scrimshaw half way members should allow him the opportunity to do so.

Proposed by Councillor Scrimshaw, seconded by Councillor Quince and decided to:

Note that the principle of development as being acceptable on this site, but that the proposal be deferred for two months to enable the agent to revise the dwelling design to blend more appropriately with its rural setting.

(Councillor Bucknor registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Wisbech Town Council at which this application had been discussed but had taken no part)

(Councillors Connor and Mrs Mayor requested it be recorded that they abstained from voting on this application)

(Councillor Keane had left the meeting prior to determination of this application)

(Members, following determination of this application, took a 5 minute comfort break)

**P110/12 F/YR12/0305/F
MARCH - LAND SOUTH OF PHOENIX HOUSE, 341 WISBECH ROAD, WESTRY,
ERECTION OF 2 X THREE-STOREY 6/7-BED DWELLINGS AND 1 X TWO-
STOREY 4-BED DWELLING WITH DETACHED DOUBLE GARAGES
(MRS C DEAN)**

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that at the recent site visit it was noted that a mobile home is on the adjacent site, which is also owned by the applicant. On further investigation, the mobile was given temporary consent whilst works on Phoenix House was undertaken. These works have been completed and the time period for the stationing of the mobile has expired and is, therefore, unauthorised. Follow up action will now be instigated.

Members made comments, asked questions and received responses as follows:

- Councillor Bucknor asked that when communal areas are allocated and a management company is obtained to look after these areas do the residents get the chance to change that management company and would this normally be written into an agreement? Officers

advised that this would be for the owners to enter into such an agreement. The roadway falls outside the number of dwellings required to become adopted and there is a need to ensure there is a mechanism for collection of refuse being for the developer to ensure a suitable scheme exists that is maintained. Councillor Bucknor made the point that in the past a management company has been attached to a developer and the owners have been limited by who they could use. Officers advised that this is outside the planning process, but any time an issue occurs such as this it makes people think of the appropriate steps that need to be taken;

- Councillor Miscandlon asked what is the current dimension on the gates referring to the Local Highway Authority comments? Officers advised that it is a minimum of 5.5 metres;
- Councillor Archer asked if this proposal is backland, infill or garden land development? Officers advised that they believe it is land associated with Phoenix House.

Proposed by Councillor Mrs Newell, seconded by Councillor Connor and decided that the application be:

Granted, subject to the conditions reported.

(Councillors Quince registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of March Town Council at which this application had been discussed but had taken no part)

(Councillor Keane had left the meeting prior to determination of this application)

P111/12 F/YR12/0387/F
LEVERINGTON - THE WALNUTS, ROMAN BANK, ERECTION OF 2 X TWO-STOREY 4-BED AND 3 X THREE-STOREY 5-BED DWELLINGS WITH DETACHED DOUBLE GARAGES AND 2.1 METRE HIGH FENCING INVOLVING DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS
(MR AND MRS B LEE)

Further to minute P40/12.

Proposed by Councillor Archer, seconded by Councillor Quince and decided to:

Grant, subject to

1. **the amended requirement for a Section 106 Agreement in relation to the provision of affordable housing (a 20% contribution)**
2. **the conditions reported.**

(Councillor Keane had left the meeting prior to determination of this application)

P112/12 F/YR12/0517/F
TYDD ST GILES - THE VILLAGE STORES, CHURCH LANE, CHANGE OF USE FROM A1 TO RESIDENTIAL USE
(MR M HEATHCOTE)

Members considered letters of objection and support.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

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Councillor Stebbing made the point that it is regrettable that a facility is being lost, but that it cannot remain open if it is not viable. Councillor Miscandlon agreed making the point that it is a 'use it or lose it' situation.

Proposed by Councillor Connor, seconded by Councillor Stebbing and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Keane had left meeting prior to determination of this application)

P113/12 **F/YR12/0533/F**
MARCH - COLESEED BUSINESS COMPLEX, UPWELL ROAD, ERECTION OF 2 X
14.97 METRE HIGH (HUB HEIGHT) WIND TURBINES
(MR P GROUT)

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- Save our Swans has made the following consultation response:
 - please let our strong objections be shown at the meeting re this unsafe proposal for industrial turbines to be erected (and spin) - so near the protected SSSI and Ramsar sites along the Washes. This proposal goes against the principle of protecting the washes from just such industrialisation. These areas must be protected as deemed to be protected by the SSSI and Ramsar status awarded to the area. To erect wind turbine clusters/high spinning blades would endanger the migratory and overwintering swans of the Welney Sanctuary - as shown by all our previous correspondence at your offices. The SSSI and Ramsar protection was upheld by the Government as shown on your records when our mass of provided petitions, letters of objections, professional and scientifically based research documents and reports by global experts, and TV, radio and other media attention secured the cessation of turbine erection in this protected area. Please be good enough to ensure all our documentary and photographic evidence of valid objection to this dangerous (new) proposal be available for the meeting in order a full picture may be seen by attendees
- officer comment is that the proposal is considered to be acceptable given the distance of this site from the Washes
- Cambridge Airport has no objections.

Members made comments, asked questions and received responses as follows:

- Councillor Connor expressed his surprise that no comments have been received from Network Rail. Officers advised that Network Rail was consulted, but nothing has been received, however, the turbines are outside the topple distance of the railway;
- Councillor Archer expressed the view that the proposal is for two wind turbines that are hardly visible so there would be no visual impact;
- Councillor Miscandlon made the point that when members visited the site they looked from the other side of the bank and he does not think it is going to be visible as it is well screened.

Proposed by Councillor Archer, seconded by Councillor Stebbing and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Quince registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of March Town Council at which this application had been discussed but had taken no part)

(Councillors Keane and Mrs Newell had left the meeting prior to determination of this application)

P114/12 **F/YR12/0578/FDC**
WISBECH - LAND NORTH OF 42 HOLMES DRIVE, ERECTION OF THREE
DWELLINGS INVOLVING DEMOLITION OF EXISTING GARAGES
(MR T WATSON, FENLAND DISTRICT COUNCIL)

Members considered objections.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that one further letter of objection/concern has been received, as follows:

- considers there is still a parking problem and it appears a parking survey was carried out during the day whilst residents are out and about
- residents from Staithe Road who have rear access gates onto Holmes drive regularly use the parking and turning areas
- emergency services would struggle for access as will the refuse collectors.

Members made comments, asked questions and received response as follows:

- Councillor Scrimshaw stated that he cannot see any refuse bin collection points and asked where these bins would be collected from? Officers advised that the application is in outline only, this would be considered at detailed stage and a condition could be imposed for a requirement for a refuse collection strategy at the detailed stage;
- Councillor Scrimshaw expressed the view that two houses would be preferable as three makes it a tight site;
- Councillor Bucknor expressed the opinion that more houses are required in Wisbech and as the application is in outline he would support it;
- Councillor Miscandlon referred to the parked cars at the end of the garages and with the garages being taken away what consideration has been given to the unofficial parking? Officers advised that only one garage is tenanted and whilst there may be more on-street parking as a result of this proposal this needs to be balanced with new housing in the area and there is no right for people to park on private land.

Proposed by Councillor Bucknor, seconded by Councillor Archer and decided that the application be:

Granted, subject to the conditions reported.

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(All members present declared a Non-Pecuniary Interest in this application, by virtue of the applicant being Fenland District Council)

(Councillor Bucknor registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Wisbech Town Council at which this application was discussed but had taken no part)

(Councillors Keane and Mrs Newell had left the meeting prior to determination of this application)

P115/12 **F/YR12/0649/F**
MANEA - LAND EAST OF ROSE COTTAGE, FALLOW CORNER DROVE,
ERECTION OF 3 X TWO-STOREY DWELLINGS COMPRISING OF 1 X 3-BED AND
1 X 4-BED WITH INTEGRAL GARAGE AND 1 X 4-BED
(MR D COLE)

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Proposed by Councillor Archer, seconded by Councillor Connor and decided the application be:

Granted, subject to the conditions reported.

(Councillor Archer registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he was present at the meeting of Manea Parish Council at which this application had been discussed but had taken no part)

(Councillors Keane and Mrs Newell had left the meeting prior to determination of this application)

P116/12 **F/YR12/0672/F**
PARSON DROVE - SOUTHFORK FARM, SEADYKE BANK, ERECTION OF THREE
14.97 METRE HIGH (HUB HEIGHT) WIND TURBINES WITH ASSOCIATED
WORKS
(MR G PATRICK)

Officers informed members that:

- Cambridge Airport has responded and has no objections to the proposed development
- Wisbech St Mary Parish Council support the development and recommend approval
- further to the Local Highway Authority comments, information relating to the vehicle size and delivery route have been provided. The delivery vehicle comprises of a 7.5 ton lorry, a low loader lorry with fixed hyab and a transit flat bed with fixed hyab. The proposed route is from Norwich, along the A47 to the A1101 Wisbech junction along to the B1169 junction, continuing onto Seadyke Bank. The Local Highway Authority has commented on the details and its only remaining requirement is for auto-tracking information relating to the Dowgate Road/A1101 junction to be provided to show any potential impacts on the street furniture at this point. It is considered that this can be dealt with by condition, therefore, it is recommended that the following condition is added:
 - prior to the commencement of the development hereby permitted full details of the auto-tracking at the Dowgate Road/A1101 junction shall be submitted to and approved in writing by the Local Planning Authority. Details shall include accurate positioning on a plan of all the street furniture at this junction.

Councillor Hatton stated that he uses this road regularly and he was not aware of the existing turbines on the site until this application was submitted.

Proposed by Councillor Archer, seconded by Councillor Stebbing and decided that the application be:

Granted, subject to the conditions reported plus the additional highway condition above.

(Councillor Scrimshaw declared a Disclosable Pecuniary Interest, by virtue of being a relative of the applicant, and retired from the meeting for the duration of the discussion and voting thereon)

(Councillors Keane and Mrs Newell had left the meeting prior to determination of this application)

**P117/12 WHITTLESEY - 8 HORSEGATE
TPO 09/2012**

Members considered the current situation in respect of confirmation of a Tree Preservation Order (TPO) at 8 Horsegate, Whittlesey. Members were informed that:

- following a review of the site in response to an enquiry it became apparent that the Poplar tree is worthy of preservation and authority was sought to issue a TPO;
- two letters have been received from owners of cottages in Wades Yard and on Church Street, who object to the confirmation of the TPO for the following reason:
 - the amenity value of the tree is negated by the fact that it is extremely dangerous to those in the surrounding area
 - it has brittle branches which drop, through natural pruning, in neighbouring gardens and could injure or kill someone
 - the tree (along with two others on the front of 8 Horsegate) drops buds and sap in Spring which causes nuisance to property, vehicles and the pavement
 - many trees in Whittlesey have been removed over the years which provided similar landscape value and could have been preserved for the reasons given in this case, eg St Andrews Churchyard and the Ivy Leaf Club
 - extreme volumes of bird excrement exist over properties and pavements due to the trees;
- the placement of a TPO does not prevent work to the tree or even its future removal, but gives the Council control over 'inappropriate works';
- it is considered that a suitable course of action would be the reduction of the crown of the tree by 30% with regular management to maintain the smaller crown, which has been discussed with the owner of the tree and he has indicated that an application for the works will be submitted as it is not the intention to remove the tree;
- the mature Poplar tree has long-term potential to contribute to the landscape character of the area if properly managed and maintained. It is a prominent specimen and makes a significant contribution to local amenity and the Conservation Area.

Members made comments, asked questions and received responses as follows:

- Councillor Connor stated that he loves trees and feels that this one should be TPO'd;
- Councillor Miscandlon stated that he has looked at this 60 foot high tree and residents in Wades Yard are extremely concerned that the tree with its current size could cause damage to their properties. He expressed the view that the tree needs a reduction over 30% to allay

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the fears of local residents and to bring it down to a safer level as it is currently too big for its location;

- Councillor Connor made the point that a TPO just stops the tree from being felled. Councillor Archer agreed, with a TPO allowing the Council to manage it and if the Arboricultural Officer says it should be reduced by 30% members should listen to him as he is the expert;
- Councillor Bucknor asked if anything can be undertaken to speed up the pollarding of this tree? Officers advised that they will discuss this with the owner of the tree and feed back these comments. The point was made that the Arboricultural Officer would have looked at the tree and would have assessed whether there was an issue with health and safety with the tree, which cannot be the case as a different recommendation would have been made;
- Councillor Stebbing supported the comments of Councillor Miscandlon stating that it is a big tree and the Council should undertake any effort that can be made to get it pollarded.

Proposed by Councillor , seconded by Councillor and **decided that the Tree Preservation Order in respect of the Poplar tree at the rear of 8 Horsegate, Whittlesey be confirmed.**

7.50pm

Chairman