

PLANNING COMMITTEE



1 MAY 2013 - 2.30PM

PRESENT: Councillor P Hatton (Chairman), Councillor D W Connor (Vice-Chairman), Councillor M Cornwell, Councillor D Hodgson, Councillor B M Keane, Councillor Mrs K F Mayor, Councillor A Miscandlon, Councillor P Murphy, Councillor Mrs F S Newell, Councillor W Sutton.

APOLOGIES: Councillor M I Archer, Councillor M G Bucknor, Councillor D R Patrick, Councillor T E W Quince, Councillor D Stebbing

Officers in attendance: G Nourse (Head of Planning), Ms A Callaby (Planning Performance Manager), Ms C Flittner (Area Development Manager), R McKenna (Principal Solicitor (Litigation and Planning), Miss S Smith (Member Support Officer)

P185/12 MINUTES OF 3 APRIL 2013

The minutes of the meeting of 3 April 2013 were confirmed and signed.

Councillor Miscandlon asked that it be recorded as an amendment to the previous minutes that he is a Member of Whittlesey Town Council Planning Committee, takes part in planning discussions and considers all relevant matters before reaching a decision on any planning application.

*** FOR INFORMATION OF THE COUNCIL ***

P186/12 F/YR11/0976/EXTIME WISBECH - FENLAND PARK, LEROWE ROAD, ERECTION OF 83 HOUSES COMPRISING: 19 X 4-BED HOUSES, 35 X 3-BED HOUSES, 18 X 2-BED HOUSES, 6 X 2-BED APARTMENTS AND 5 X 1-BED APARTMENTS INCLUDING PUBLIC OPEN SPACE INVOLVING DEMOLITION OF EXISTING FOOTBALL STANDS AND BUILDING (RENEWAL OF PLANNING PERMISSION F/YR07/0322/F) (MR J VANNER)

Members considered letters and a petition of objection.

Officers informed members that:

- given changes in Planning Policy since this scheme was last considered at Planning Committee the following policies are now relevant:
 - FDWLP Policy - as reported
 - East of England Plan ENV7 - now deleted
 - PPS - now deleted
 - NPPF - Paragraphs 2 and 14
 - FCS - Proposed submission February 2013 - CS1, CS3, CS4, CS5, CS13 and CS16;
- as they are in compliance with the policy framework under which the matter was initially considered there are no policy implications arising;
- omitted text on Page 37 of the report should read: 8 February 2012;
- officers have received an initial view from the County Council querying the extent of profit

assumed in the viability report and outlining key considerations that their officers will need to further explore before they could accede to the request. It is clear that to bring the matter to a conclusion will require further officer input from both the County and District Officers. Delegated authority from Committee members is sought to conclude this matter to the agreement of all parties. Should such agreement not be forthcoming the matter would subsequently be returned to committee for determination.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicants agent. Mr Humphrey pointed out that it has been a difficult recession and the landowner is trying to move on and wants to establish S106 principles. The landowner may come back with a new scheme, he wants to do something with the land, it may be a nursing home.

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

Grant, subject to the conditions reported.

(Councillor Hodgson stated that he is a member of Wisbech Town Council and was aware of the history of the site as he had been a member of Wisbech Town Council Planning Committee when it had been considered in 2011)

P187/12 F/YR12/0903/F
ELM - THE DALE, BEGDALE, ERECTION OF 21 X 2-STOREY DWELLING
COMPRISING OF 14 X 2-BED AND 7 X 3-BED; 2.1 METRE HIGH FENCING AND
LANDSCAPING INVOLVING DEMOLITION OF EXISTING SHELTERED
ACCOMMODATION AND GARAGE AND ALTERATIONS TO THE GARDENS OF
6NO EXISTING BUNGALOWS
(MS F COULSON, RODDONS HOUSING ASSOCIATION)

Members considered letters of objection and one letter 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 this application should now be considered as a stand alone scheme and not as a joint scheme with Planning Application number F/YR12/0907/F.

Members received a presentation, in accordance with the public participation procedure, from Mr Harkness, supporter of the proposal. Mr Harkness stated that The Dale had been subject to the transfer of housing stock to Roddons Housing Association and two that were transferred, including The Dale were identified as not being up to an acceptable standard of accommodation. He confirmed that Roddons are working with the local community and Parish Council in response to housing needs.

Councillor Sutton informed Mr Harkness that he struggled with the layout of 2-storey dwellings due to overlooking and he believes that the public rely on members of the Planning Committee to speak on their behalf at these meetings and he believes that the dwellings should be single-storey. Mr Harkness responded that Roddons are flexible in their approach and have discussions with officers and the bungalows have their own front gardens which address overlooking.

Councillor Connor stated that he has no problem with the scheme but asked why they had chosen wood cladding on the buildings as this would soon look shabby and asked if they would consider looking at other options. Mr Harkness responded that their architects had provided the design with

wood cladding as an acceptable appropriate material. Councillor Connor said he would find the development more acceptable with an amended design.

Councillor Mrs Newell asked why Roddons were not providing bungalows as there is clearly a need for bungalows and referred to the relationship between the new bedroom tax and the need to downsize. Mr Harkness confirmed that Roddons do provide bungalows where they can, however, this is not always appropriate on all schemes.

Councillor Miscandlon made reference to a previous presentation from Roddons at Fenland District Council, which stated that there are not enough one bedroom units. Mr Harkness responded that this issue will arise every time a Planning Application is considered, there is a shortage of one bedroom units. He confirmed that Roddons are trying to build one bedroom accommodation in larger towns and stated that it can be supported in towns and larger villages.

Councillor Connor commented that he would rather see a percentage of one bedroom properties on all Roddons applications, giving an example of 25% as a framework and asked if the Manea application is presented again could this be included in the framework and that one bedroom properties be included in village applications. Mr Harkness responded that Roddons are trying to meet all needs overall.

Councillor Hodgson commented that there is one letter of support for more three bedroom dwellings. Mr Harkness responded that there is a huge need for every type of accommodation and Roddons is trying to get the balance right.

Councillor Cornwell reiterated that there is a demand for one bedroom bungalows, a large number are being developed for provision in towns and commented that there is also a need in other settlements and asked if Roddons would take this into account. Mr Harkness responded that Roddons are trying to produce a scheme to meet local housing needs, each site is different in respect of location and needs.

Officers clarified the issue raised regarding overlooking and stated that House Type D (shown on screen) the back to back distance between is 15 metres and careful consideration has been given to overlooking between houses and bungalows.

Councillor Mrs Mayor made reference to the site visit and stated that the site needs developing and she was very unhappy about the development to the rear of numbers 21-26 and that the amenities of six bungalows should not be taken away from them. She raised concerns that one bedroom properties will be built in towns and this may mean moving people who have lived in a village location all of their lives and they may not be happy to do this.

Councillor Connor commented that he would like to see the bungalows in the background with better brick, not cedar board and asked that this be taken into account.

Councillor Sutton made the point that this site has got to be developed but he could not support the application as the proposal would block light to other properties and requested that this be looked at again. He confirmed that the Parish Council were not happy with the design.

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

Deferred to enable the applicant to submit a better design including one bedroom accommodation, layout, plans and to consider alternative cladding.

P188

Members do not support officers' recommendation of Grant of planning permission as they would like to see a better design which includes one bedroom accommodation.

(Councillor Murphy declared a Non-Pecuniary Interest in this application, by virtue of him being a Board Member of Roddons Housing Association, and retired from the meeting for the duration of the discussion and voting thereon)

P188/12 **F/YR12/0907/F**
EASTREA - LAND SOUTH OF 14-24 WYPE ROAD, ERECTION OF 14 X2-STOREY DWELLINGS WITH ASSOCIATED PARKING COMPRISING OF 7 X 2-BED, 6 X 3-BED AND 1 X 4-BED, AND ADDITIONAL GARDEN AND PARKING AMENITY FOR NOS 16 AND 18 WYPE ROAD (STEPFORD HOMES)

Officers informed members that this item had been deferred and removed from the agenda to enable officers to explore further the S106 issues regarding the provision of affordable housing and related viability issues to be resolved prior to consideration by members.

P189/12 **F/YR12/0932/F**
FRIDAY BRIDGE - LAND NORTH OF 89-95 THE STITCH FRONTING BAR DROVE, ERECTION OF 3 X 2-STOREY 4-BED DWELLINGS WITH DETACHED GARAGES INVOLVING THE FORMATION OF A NEW ACCESS (MRS N SMITH)

Members considered letters of objection.

Officers informed members that:

- Elm Parish Council have responded in relation to the revised plans and advise that 'The revision to this planning application was considered by Elm Parish Council yesterday evening and Members support the revised application';
- a further letter of objection has been received in relation to the revised plans reiterating their initial concerns regarding poor access, loss of wildlife habitat, adverse impact on the drainage, houses would be out of keeping with the surrounding bungalows and health concerns which would be exacerbated by the introduction of these houses in the area.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey acknowledged that there are other properties in the surrounding area. He stated that the application was deferred in February 2013, members were happy in principle, they questioned the small size of the development and this has been addressed by appropriate edging, all drainage and highway issues have been addressed, addressing all concerns and Mr Humphrey requested that members support the application as it had already been agreed in principle prior to the issues being addressed.

Councillor Hodgson referred to the loss of privacy in the letter of objection and asked Mr Humphrey if this was an issue. Mr Humphrey responded that the development is so far away from the existing bungalow as not to be an issue.

Councillor Mrs Newell made reference to the report relating to no pre-application discussions taking place with Middle Level Commissioners and asked Mr Humphrey if this were the case. Mr Humphrey responded that no discussion had taken place pre-application but confirmed that discussions had since taken place with Middle Level Commissioners and concerns had been addressed and resolved.

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

- Councillor Hodgson asked officers if overlooking was an issue. Officers answered that overlooking was not an issue due to the distance involved;
- Councillor Cornwell raised concerns regarding the request for members to be informed of the suggested use for the whole plot and stated that the addition of paddocks in the proposal had not achieved this;
- Councillor Sutton raised concerns regarding the narrow road, likening it to Back Road, Murrow, commenting that if members were mindful to approve this application would this raise a precedent and stated that members could not allow another Back Road type development to emerge;
- Councillor Mrs Mayor commented that the application had been deferred in February to allow the applicant to deal with concerns raised by members and stated that if all concerns and issues had been addressed and resolved there was no reason not to grant the application, stating that any further issues should have been raised when the application was deferred in February.

It was proposed by Councillor Sutton, seconded by Councillor Cornwell that the application be Refused. The reason being that it would create problems due to excessive traffic on an unsuitable road. This proposal did not receive the necessary number of votes of support by members, and, therefore, the proposition fell.

Proposed by Councillor Mrs Mayor, seconded by Councillor Mrs Newell that the application be:

Granted, subject to suitable conditions to include:

- **Standard time limit;**
- **Landscaping Implementation;**
- **Access dimensions minimum width 5m for a distance of 10m;**
- **Land Contamination Assessment;**
- **Offsite highway works - 3 passing bays;**
- **Access drainage and surface water run off;**
- **Temporary facilities for parking, turning and loading of construction vehicles;**
- **Any further conditions from Middle Level Commissioners;**
- **Approved plans.**

Members do not support officers' recommendation of refusal of planning permission as they feel that the proposal is within the character of the area and surrounding development.

P190/12 **F/YR13/0080/RM**
WHITTLESEY - LAND WEST OF BENWICK ROAD INDUSTRIAL ESTATE
FRONTING STATION ROAD, ERECTION OF FOODSTORE (AL), PETROL
FILLING STATION, CAR PARKING, SERVICING AND ASSOCIATED HIGHWAY
WORKS
(HARRIER DEVELOPMENTS LIMITED)

Members considered twenty letters of objection.

P190

Officers informed members that:

- a consultation response has been received from Police Architectural Liaison Officer, the amended drawings show a secure rear service yard will greatly reduce the crime risk to the property;
- additional comments from the Planning Agent, although the neighbouring property has no windows facing elevation, the store will be highly visible from the garden. The neighbours are agreeable to the use of the green curtain;
- assessment - the above comments have been noted and the original assessment as set out in the agenda remains relevant and it is recommended that the Reserved Matters are approved;
- outline planning permission was granted in June 2010, the request is purely in respect of landscaping appearance of the scheme and officers consider that green wall planting is an innovative solution.

Members received a presentation, in accordance with the public participation procedure, from Mr Pritchard, support of the proposal. Mr Pritchard confirmed that approval is not being sought for planning permission but for reserved matters. He pointed out that outline planning permission was approved in June 2010, approving access and layout. Mr Pritchard confirmed that there are no objections to either element of reserved matters, he feels it is appropriate and discussions have been held with the residents of 239 Benwick Road who are content with the proposal. Mr Pritchard asked that members support officers recommendations to approve the reserved matters.

Proposed by Councillor Connor, seconded by Councillor Miscandlon and decided to:

Grant, subject to the conditions reported.

(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)

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

(Councillor Mrs Mayor declared a Non-Pecuniary Interest in this application, by virtue of her family owning land regarding Supermarkets at Whittlesey, and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Murphy declared a Non-Pecuniary Interest in this application, by virtue of him not taking part in the recent decisions regarding Supermarkets at Whittlesey, and retired from the meeting for the duration of the discussion and voting thereon)

P191/12 F/YR/0116/EXTIME
MARCH - LAND SOUTH OF 2 FOUNDRY WAY, ERECTION OF A 70 METRE HIGH (HUB HEIGHT) WIND TURBINE AND TRANSFORMER KIOSK (RENEWAL OF PLANNING PERMISSION GRANTED ON APPEAL APP/D0515/A/09/2114817/NWF IN RELATION TO PLANNING APPLICATION F/YR09/0020/F)
(MR B SKOULDING, SNOWMOUNTAIN ENTERPRISES LTD)

Officers informed members that:

- an amended consultation response has been received from the Ministry of Defence (MOD), (Defence Infrastructure Organisation). The MOD originally objected due to unacceptable interference to the ATC at Marham;

- the MOD revised their response as follows:
 - it is understood that planning application F/YR13/0116/EXTIME seeks to extend the time limit for the implementation of the development granted consent at planning appeal, planning application reference F/YR09/0020/F. The MOD was consulted by Fenland District Council in 2009 and provided a response letter dated 4 February 2009. This response raised no objection to the proposed turbine and recommended suitable aviation lighting;
 - the operational and technical assessment was undertaken in isolation and the site history was not reviewed. Following the Council's query regarding the change in response, the site history has been reviewed and in recognition of the nature of the planning application, on this occasion the MOD is content to honour the original response dated 4 February 2009;
 - should the planning application be recommended for planning consent, the MOD would request that the following aviation lighting condition is included:
 - the company shall install MOD-accredited 25 candela omni-directional aviation lighting or infra-red warning light with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point. The turbine will be erected with this lighting installed and the lighting will remain operational throughout the duration of this consent. Officers recommend an additional condition to cover this matter;
- one additional letter of objection has been received raising the following concerns:
 - there should be no extension of time limit given;
 - the application has already been through the planning application process once and been denied;
 - the residents of March expect the Council and the Planning Committee to protect their interests and refuse this application;
 - the turbine is close to residential areas causing danger to residents and it will be an eyesore bringing no benefit to town;
 - if applicants are keen to have a wind turbine they should apply to have one built in their back garden.

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

- Councillor Cornwell made reference to the application being passed on appeal and Government advice to support the application and extension of time, he reminded members that this is only a recommendation and members can still refuse the application if they are mindful to;
- Councillor Hatton reminded members that the application had previously been refused that on appeal have been passed by the Government Inspector and it was probable that refusal would lead to a repeat of the same process;
- the legal officer advised members that if members were mindful to refuse the application they would need to consider closely the reasons for refusal;
- Councillor Mrs Newell asked if members agree with officers recommendations would the additional condition from the MOD be included. Officers confirmed that the additional condition requested by the MOD would be included;
- Councillor Connor commented that members need to take heed of the inspectors warning, versus being penalised and additional expense being incurred if members did not support officers recommendations.

P192

Proposed by Councillor Connor, seconded by Councillor Keane and decided to:

Grant, subject to the Conditions reported and additional Conditions.

(Councillors Cornwell and Keane stated that they are members of March Town Council, but take no part in planning matters)

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of being closely associated with the applicant, a fellow Councillor, and retired from the meeting for the duration of the discussion and voting thereon)

**P192/12 F/YR13/0131/F
CHATTERIS - 31 PARK STREET, ERECTION OF A SINGLE-STOREY 1-BED
DETACHED ANNEXE TO THE EXISTING DWELLING
(MRS C WING)**

Members considered two letters 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:

- the application has been called in by Councillor Murphy at the request of Chatteris Town Council;
- confidential information regarding extenuating circumstances has been provided as justification for the proposal;
- permitted development rights mean that the structure could be built in the rear garden, in proximity to the rear garden with a flat roof and officers would not encourage this type of structure;
- it would be acceptable in this case to waive parking conditions.

Members received a presentation, in accordance with the public participation procedure, from Mr Hall, the applicant's agent. Mr Hall stated that the application is for an annexe in conjunction with the existing property for a family member and confidential supporting information had been provided in this respect in support of the application.

He pointed out that this is not in a flood zone, there is no overlooking as a result of the proposal and would provide a shared amenity space with a condition for happy ancillary occupation.

Councillor Miscandlon asked Mr Hall to clarify why the building was a detached annexe and not attached. Mr Hall responded that there is an existing kitchen window which would be obscured by an attached annexe and special notice has been taken with regard to number 33 which is a listed building and the development will be built away from the boundary of that property.

Councillor Murphy asked Mr Hall if the annexe was to be for sole use of the occupant only, is it for sleeping in and will it have a separate bathroom, kitchen, living accommodation, bedroom and lounge. Mr Hall confirmed that the annexe will provide separate accommodation and will be used during the day by the occupant.

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

- Councillor Murphy commented that an annexe is normally abutted to the main building not in the backyard. He pointed out that the property is on a very busy road, the occupants of the

house have a car, the son has a car and there are no parking spaces on the road and would mean difficult parking. The property has no lane or roadway and building materials would have to be barrowed through a passageway for the duration of the building work which creates more difficulty;

- Councillor Mrs Newell agreed with Councillor Murphy stating that it is an impossible road, there is nowhere to park on the road and whilst the annexe was being built would create a lot of difficulty for residents;
- Councillor Cornwell asked officers if they were satisfied that there is genuine justification/need to construct a dwelling in this location. Officers confirmed that there are special circumstances that justify the need for annexe accommodation, close to the main dwelling providing close proximity to ensure parental support;
- Councillor Hodgson asked if extra parking is a problem. Officers confirmed that parking requirements will not be any different as the number of occupants will remain the same;
- Councillor Sutton asked officers if members were mindful to approve the application is the annexe going to be tied in perpetuity to the property. Officers confirmed that it will be tied to the property and will be conditioned as such;
- Councillor Murphy asked who will monitor the situation as to who is residing in the annexe accommodation. Officers confirmed that enforcement measures will be taken if the residence is used as a completely separate residence.

Proposed by Councillor Connor, seconded by Councillor Miscandlon and decided to:

Grant, subject to the conditions reported.

(Councillors Mrs Newell and Murphy stated that they are members of Chatteris Town Council, but take no part in planning matters)

P193/12 **F/YR13/0140/F**
MARCH - 130 ROBINGOODFELLOWS LANE, ERECTION OF A SINGLE-STOREY
REAR EXTENSION TO THE EXISTING DWELLING INVOLVING THE DEMOLITION
OF AN EXISTING OUTBUILDING
(MISS L SUTTON)

Officers informed members that the development has no adverse impact on the surrounding area and is in accordance with the National Planning Policy Framework.

Proposed by Councillor Connor, seconded by Councillor Miscandlon and decided to:

Grant, subject to the conditions reported.

(Councillors Cornwell and Keane stated that they are members of March Town Council, but take no part in planning matters)

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of the applicant being his daughter, and retired from the meeting for the duration of the discussion and voting thereon)

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

P194/12 **F/YR13/0144/F**
**MURROW - LAND NORTH OF 117 BACK ROAD, ERECTION OF 2NO OF SINGLE-
STOREY 3-BED LOG CABINS FOR USE AS HOLIDAY LETS**
(MR C GIDDINGS)

Members considered eight letters 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:

- the applicant's agent has submitted a revised plan showing the access and visibility splays regarding Highways and Access;
- the agent has confirmed that the access is 5.5 metres wide for a minimum of 10.0 metres measured from the channel line of Back Road. The plan has been amended to show this;
- Cambridgeshire County Council Highways have outlined that it has been established that the required visibility splays of 2.4 metres x 43.0 metres can be satisfactorily accommodated within the limits of the highway verge (and has requested conditions to ensure the minimum access width requirement and visibility splays are appended if any planning permission is granted);
- the issue of the condition of the access road was raised with the applicants' agent. In response it has been indicated that the condition of the track has worsened over the last eighteen months due to construction traffic from across the road parking and turning there. The existing track is compacted hardcore and will be retained as such albeit all of the large potholes within the entrance section will be repaired with hardcore.

Members received a presentation, in accordance with the public participation procedure, from Mr Glover, an objector to the proposal. Mr Glover informed members that he represents a group of neighbours opposed to the application, the traffic, the bad state of the roads in Murrow and stated that he agreed with the previous comments made by Councillor Sutton regarding traffic and roads.

Mr Glover pointed out that the application will create more development along the front line and this is backland development. Mr Glover raised concerns that further development could result in the amalgamation of Parson Drove and Murrow. Mr Glover pointed out that there is wildlife and bats on the site.

Mr Glover stated that the letters of support that have been submitted are from residents that live twenty five miles away from the development and will not be affected by the development. He raised concerns regarding the viability of the scheme and provided examples of similar schemes in other villages that have failed in nearby areas.

Members received a presentation from Councillor Booth, District Councillor, speaking in objection to the application. Councillor Booth pointed out the inadequacy of the road, not being suitable for the level of development happening at this time. He stated that the Local Highway Authority does not support largescale development, however, there is no comment regarding smallscale development. He noted the update on access to the site. Due to the development along this road, this may change planning applications for the future.

Councillor Booth pointed out that criteria CS12, B of the Core Strategy has not been explored, with regard to developments meeting other developments and he believes that Parson Drove falls within this category, whereas at the present time there are clear boundaries. He pointed out that similar developments have been tried in other areas and have been proven not to be financially

viable and accommodation have been changed into residential dwellings. He questioned the financial viability of the scheme stating that the Parish Council had received no details regarding this.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that the Local Highway Authority are happy with this application whilst acknowledging that members may have concerns. Councillor Humphrey stated that he has a letter confirming the viability of the venture. He pointed out that there is an omission in the report as there is no reference to Policy CS12 - Employment, Tourism and Community Facilities and no reference to CS6 which he considers paramount to the application. He confirmed that the applicant has done his market research, the development is in a lovely landscaped setting in a paddock, it will not reach Parson Drove, the owner was considering it as a CL caravan park for up to five caravans per night and his client had been advised that the log cabins were a better option as permanent accommodation and believed to be more viable.

Mr Humphrey pointed out the site is a 'getaway' with provision for cycling and fishing, is adjacent to the DAB and in line with Fenland's Open for Business priority. This is a new venture, a smallscale development and he requested a commonsense approach from members in accordance with Policy CS6.

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

- Councillor Cornwell commented that reference to Policy CS6 was missing in the report and appears to be strongly against Policy CS12, which refers to permanent development but not 12 months use. He pointed out that log cabins are not everlasting and suggested that the relationships between Policy CS6 and CS12 should be considered. There is a demand for and a shortage of accommodation in the area and there are some attractive log cabin developments and quality should be a consideration, access is occasional and Councillor Cornwell expressed the opinion that the development is not obtrusive and he supports the application;
- Councillor Mrs Mayor raised concerns regarding distance from the log cabins to the applicants property and the disposal of waste, being six properties inbetween the two sites. Mr Humphrey clarified that the owners live at 131 and access the paddock at the corner of the site and walk this route on a daily basis.

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

Refused.

**P195/12 F/YR13/0150/F
GUYHIRN - RIVERBANK LODGE, SELWYN CORNER, ERECTION OF SINGLE-STOREY EXTENSION TO REAR OF EXISTING DWELLING
(MR N ASKEW)**

Officers informed members of the reason for the application being considered, the applicant being an elected member of Fenland District council

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

Grant, subject to the conditions reported.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being an employee of the agent, and retired from the meeting for the duration of the discussion and voting thereon)

P196/12 **F/YR13/0152/F**
ELM - LAND WEST OF SOFFITS, HALFPENNY LANE, ERECTION OF 1NO 5-BED
3-STOREY DWELLING WITH DETACHED GARAGE, 1NO 4-BED 3-STOREY
DWELLING WITH ATTACHED GARAGE AND 1NO 5-BED 2-STOREY DWELLING
WITH ATTACHED GARAGE
(MR D HOUSDEN)

Members considered three letters of objection and one letter containing seven signatures.

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 had been received from the Local Highway Authority stating that the carriageway of Halfpenny Lane from the site up to the junction with the A1101 is extremely narrow (single vehicle width). The following conditions would be required if the LPA is minded to grant planning permission: positioning of gates, construction of access, provision and retention of parking spaces, provision of temporary facilities, drainage measures and provision of a passing place;
- comments from the Local Highway Authority have been acknowledged and it is important to note that, although an observation on the narrow width of the highway has been made, no objections on highway safety have been raised. As such there is no need to revisit the original assessment of the application and subject to the additional conditions:
 1. The development permitted shall be begun before the expiration of 3 years from the date of this permission. **Reason** - to ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004;
 2. Prior to the commencement of the development hereby approved full details of the external finishes shall be submitted to and approved in writing by the Local Planning Authority and the development shall be executed in accordance with the approved scheme and retained in perpetuity thereafter. **Reason** - to safeguard the visual amenities of the area;
 3. Prior to the commencement of the development hereby approved, details of the location, height, design and materials of all screen walls and fences shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s) and retained in perpetuity thereafter. **Reason** - to ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy;
 4. Prior to the commencement of the development hereby approved adequate temporary facilities (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of vehicles visiting the site during the period of construction. **Reason** - to minimise interference with the free flow and safety of traffic on the adjoining public highway;
 5. Prior to the first occupation of the development any gate or gates to any vehicular access shall be set back a minimum of 5.0 metres from the near channel line of the carriageway of Halfpenny Lane. Any gate or gates shall be hung to open inwards. **Reason** - in the interests of highway safety;

6. Prior to the first occupation of the development the proposed on-site parking and turning shall be laid out, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use in perpetuity. **Reason** - in the interests of highway safety;
7. The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development. **Reason** - in the interests of highway safety;
8. Approved plans.
 - there was an objection from Middle Level Commissioners in relation to surface water drainage and officers have addressed this by way of condition.

Members received a presentation, in accordance with the public participation procedure, from Mr Brand. Mr Brand stated that the development is on an existing vacant site, formerly orchard, with the trees removed by the previous owner. The new owner agrees to plant new trees within the proposed scheme. Mr Brand pointed out that there are objections on highway grounds and informed members that highway improvements will be made to increase the width to 5 metres over a 30 metre length, allowing cars and vehicles to pass with plot 3 allowing for the turning of refuse and emergency vehicles. He stated that the new tree planting will create a buffer between countryside and the village of Elm. He believes that objections from Middle Level Commissioners can be overcome and has worked with planners and had pre-application discussions with officers to overcome highway issues.

Councillor Murphy asked Mr Brand where Refuse vehicles would turnaround. Mr Brand responded that the first part of the drive on Plot 3 is wide enough for turning and will be built into the scheme.

Councillor Keane asked Mr Brand what will the road surface be. Mr Brand responded that the road surface will be highways specification tarmac and widened with room to pass.

Councillor Miscandlon asked Mr Brand how will the road be increased to a 5 metre width and commented on its close proximity to the A1101. Mr Brand confirmed that the road will be widened in front of plots 2 and 3, a 30 metre length, the rest of the road will remain as is.

Councillor Hatton asked Mr Brand if the refuse vehicles go down the lane. Mr Brand confirmed that they do.

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

- Councillor Connor commented that the 5 metre layout width road scheme does not go far enough, with only the road renewed for three houses that will be built and he stated that should be the whole length of road and is not acceptable;
- Councillor Mrs Mayor stated that the whole stretch of lane should be made up and she did not support the application;
- Councillor Murphy pointed out that the camber of the road is very poor, it has a running dyke and the development is out of character. There is a natural stop line which stops intrusion into the countryside;
- Councillor Hodgson commented that the entrance to the road is narrow, there are several hedges and trees and they would need to be cut back as they narrow the road further.

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

Refused for the following reason -

- **by virtue of the lack of turning and the narrow road, the proposal fails to address highway safety.**

Members do not support officers' recommendation to Grant planning permission as they feel that the proposal does not address issues regarding highway safety.

**P197/12 F/YR13/0157/F
WISBECH - RIVERVIEW, 127 SOUTH BRINK, ERECTION OF A 3-STOREY 6/7-
BED DWELLING WITH BALCONY AND REFURBISHED OUTBUILDING
INVOLVING DEMOLITION OF EXISTING DWELLING**

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:

- following a site visit, members of the Planning Committee requested a plan and details of the proposed development in contrast to the existing development;
- the applicants agent has provided a plan showing the footprint of the existing dwelling and outbuildings;
- the applicants agent has provided information regarding the existing floor plan, including the current building main two storey house and single storey elements to the rear, but excluding the retained outbuilding has a footprint of 226 metre square;
- the proposed replacement dwelling (excluding the outbuilding) has a footprint 225 metre square and a total gross floor area of 396 metre square;
- Middle Level Commissioners responded that they expect the applicant to provide adequate details and test results where appropriate to prove that the proposed surface water/treated effluent will work efficiently at this location and effectively in the long term. These details can be addressed via Middle Level Commissioners Bye-laws and Building Regulations;
- Natural England standing advice indicates that there may be ecological interest on the site, however a walkover survey did not highlight any issues. The Wildlife Act protects species and a biodiversity condition regarding enhancements has been agreed.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that sometimes developments are client led, the previous application being refused by delegation. He pointed out that the applicant has reduced the size of the development and this is a key prominent gateway location and will stamp visitors' arrival into Wisbech.

Mr Humphrey confirmed that the site is a former fruit and vegetable farm, it is fire damaged and this application is for a replacement dwelling and the benefits of the proposal outweigh the reasons for refusal. He stated that the proposal is supported by Wisbech Town Council and there have been no objections from consultees. Mr Humphrey requested that members should support this as a pleasant investment and gateway into Wisbech.

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

- Councillor Sutton commented that this is a great design, follows the architecture of the past and he supports the application;

- Councillor Murphy described the development as a gateway into Wisbech being 'South Fork on South Brink';
- Councillor Miscandlon commented that it is well designed and makes a statement as the entrance into Wisbech and fully supports the application.

Proposed by Councillor Sutton, seconded by Councillor Murphy and decided to:

Grant, subject to the conditions reported.

(Councillor Hodgson stated that he is a member of Wisbech Town Council, but takes no part in planning matters)

**P198/12 F/YR13/0159/F
DODDINGTON - LAND SOUTH WEST OF 1 EASTMOOR LANE, ERECTION OF A 2-STOREY 3-BED DWELLING INVOLVING (RETROSPECTIVE) DEMOLITION OF EXISTING DETACHED GARAGE AND PART OF 1 EASTMOOR LANE (MR P NEILSON-BOM)**

Members considered 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 Brand, the applicant's agent. Mr Brand stated that this is a different scheme to those refused previously, it is not a bungalow and made reference to the build over permit that will be required and said this is not correct, the rules have been relaxed and certain criteria can be dealt with by Building Control.

Mr Brand confirmed that the proposal is for a chalet cottage, the plan says the development is not in keeping with the surrounding development area, he stated that the nearest building is number 16 to the west which is 1.5 storey and all the properties opposite are houses. The cottage at the front would be traditional, is in keeping and follows the roadline. Mr Brand stated that the existing property is set well back and at a funny angle and out of character, not the new proposal. Mr Brand pointed out that the proposed building will improve road scene, it does not matter that the site shape is triangular, what it looks like from the road is the important factor. Mr Brand stated that the dwelling will tidy the area straight away, it will enhance the area and improve the street scene.

Officers informed members that the build over request arises as a result of Anglian Water being a statutory body consultee in April 2013. Officers confirmed they have received an email from planning liaison at Anglian Water which determines that an easement of 3 metres either side of the sewer is required and they are required to accept the advice from professional stakeholders.

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

- Councillor Murphy commented that visually the scale and appearance of the development does not work;
- Councillor Sutton commented that he knows the road well and has walked by the site and it is out of keeping and he does not support the application;

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- Councillor Miscandlon commented that this development is 'cramming' a house into a small plot and does not work with the street scene.

Proposed by Councillor Murhpy, seconded by Councillor Sutton and decided that the application be:

Refused as recommended.

(Councillor Connor registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application by both the agent and the applicant and by virtue of this association he retired from the meeting for the duration of the discussion and voting thereon)

**P199/12 F/YR13/0168/F
WISBECH ST MARY - WOODLANDS, SANDBANK, ERECTION OF A DETACHED
DOUBLE GARAGE TO EXISTING DWELLING
(MR AND MRS A WOODS)**

Officers informed members that:

- No updates have been received regarding this application;
- the application is before members as the Agent is a District Councillor.

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

- Councillor Murphy asked officers if any comments had been received from local residents. Officers confirmed that no comments had been received from local residents.

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

Granted, subject to the conditions reported.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being an employee of the agent, and retired from the meeting for the duration of the discussion and voting thereon)

**P200/12 F/YR13/0171/F
TYDD ST GILES - LAND WEST OF DESFORD HOUSE, CHURCH LANE,
ERECTION OF 9NO 2-STOREY DWELLINGS COMPRISING 4 X 4-BED WITH
GARAGES, 1 X 3-BED WITH GARAGES AND 4 X 3-BED AND 1NO SHOP
ATTACHED TO A DWELLING
(MR AND MRS D J HOWLETT)**

Members considered letters 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 informed officers that:

- Three further letters of objection have been received from residents reiterating the concerns they raised when the application was submitted;
- Three further letters of objection have been received stating that the submitted Arboricultural report has errors in it. The trees have been incorrectly counted and several have been

mistakenly identified as Silver Birches.

Members received a presentation from Councillor Jarvis, a Parish Councillor. Councillor Jarvis informed members that he was speaking on behalf of the residents of Tydd St Giles, stating that the development should not be allowed as it is backfill development. He stated that there are a significant number of building plots available in the village that remain unsold, one site has been available for four years and no more development should take place until these are sold and built on.

Councillor Jarvis pointed out that a shop had been in the village for twenty years and had been returned to residential use and residents accept that a shop is not viable in Tydd St Giles and he does not see how a shop could survive in today's economic climate. Councillor Jarvis pointed out that village infrastructure will not support this type of development, some residents have moved to Tydd St Giles from town and cities and would like it to retain its unique charm. He made reference to the Design and Access Statement which states that with the inclusion of affordable houses a donation of £10,000 would be paid to the Parish Council and facilities for the village, he considers that this condition is an inducement but not a good one and takes a dim view of this.

Members received a presentation from Councillor Tierney, County Councillor. Councillor Tierney stated that the proposal does not conform to Policy CS12 and exceeds the number of dwellings in the village by more than the 10% threshold and this makes a mockery of current planning rules. He pointed out that the defined shape of the village is square with a green space in the centre and this proposal makes it look like there is no thought for the rules and he wishes that proposals that do not fit the rules were not put forward.

Councillor Tierney said that he supports the spirit of localism and the reasons villagers are forming a committee, local people are free to talk, ban and bond in the spirit of free speech, they consider the evidence and he supports local people and requested that members refuse the application.

Members received a presentation, in accordance with the public participation procedure, from Mr Mathias. Mr Mathias informed members that he was speaking on behalf of the Tydd St Giles Village Forum and those that object to this application. There is a long held view of building in Tydd St Giles to fully support all applications that conform to Fenland District Council Planning Policies and reuse of redundant land. He commented that the reasons for refusal are clear and from the number of objections it is highly contentious.

Mr Mathias pointed out that it is classified by Policy CS3 as a small village and on 1 January 2011 planning permission was granted for 24 new houses, this is more houses than each of the limited growth villages, more than for Wimblington and Doddington and more than is considered to be the fair share. He commented that the proposal fails to comply with Policies CS3, 12 and 16 and relevant paragraphs of the NPPF. He stated that no shop is required in Tydd St Giles, larger shops deliver to Tydd St Giles and there is a post office in the Community Centre once a week. Post Offices Limited have confirmed that they will not allow a post office in Tydd St Giles. The signatories that do support a village shop and four affordable houses were misled by the applicant and they were not removed when the request was made to do so. Mr Mathias made reference to a conversation that took place outside the church by the applicant so say that the applicant intended to build more houses than applied for and on the inner square. He produced a signed statement from the applicant as testament to the applicants intentions and circulated this to members. Mr Mathias requested that members think of the future of the village and residents quality of life during their deliberations.

Members circulated the signed statement of intent to build by the applicant and were reminded by Councillor Hatton and officers that this is not part of the application being considered that members

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should consider the application as it stands and set the letter aside when making their decision.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that the village is divided and he had offered to meet with Councillor Tierney and the Tydd St Giles Action Group, they had been unable to set a date to meet, despite his attempts at being proactive. He made reference to Councillor Jarvis' comment about backland development and pointed out that there are already twelve bungalows built in the square.

Mr Humphrey informed members that the applicant is a fourth generation resident, went through the village school, has the village at heart and does not want any animosity. He said that youngsters want to stay in the village, eighteen affordable houses are needed in Tydd St Giles and the applicant is offering to build four of these. There are 700 residents, a critical point in 1993 on the local plan shows the access as protected, the applicant can now build as the protected access has been moved and the applicant aims to reserve land to avoid it being landlocked. He said that Mr Mathias may not want a village shop but the village do, plans have been made for running the shop and five parking spaces have been provided for the shop. Mr Humphrey stated that the NPPF supports the rural economy and this is a positive approach to sustain new development and there are all types of business and enterprise in rural areas, this is supported by Policy CS1 - the desire to deliver sustainable growth and the shop provides this. Mr Humphrey requested that members remain strong and not be influenced by the masses and they should support the application.

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

- Councillor Mrs Newell asked why there was no mention of archaeological interest on the site in the report. Officers confirmed that they have been consulted but no response has been received. Councillor Mrs Newell asked if there is archaeological interest on the site. Officers responded that they are still awaiting comments regarding archaeological interest and arboricultural interest before presenting this to members;
- Councillor Sutton commented that this is the same type of development as before, there is the same despondence from residents, in increasing numbers, the application has been refused before and he agrees with the officers' recommendations;
- Councillor Murphy commented that the Parish Council have said no, Cambridgeshire County Council have said no and 100 objectors have said no, this is ribbon development, the shop is a 'red herring' and he agreed with the officers' decision.

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

Refused as recommended.

**P201/12 F/YR13/0183/F
TYDD ST GILES - LAND NORTH OF WINDY WILLOWS, CHURCH LANE,
ERECTION OF 3 X 3-BED 2-STOREY DWELLINGS WITH GARAGES
(MR AND MRS D MOORE)**

Members considered letters 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:

- two additional letters of objection had been received raising the following concerns
 - the site is on agricultural land outside accepted development envelope of village;
 - Tydd St Giles is unique with a settlement pattern that needs to be preserved;
 - this proposal will harm the distinctive character and open appearance;
 - the land is agricultural;
 - the proposal conflicts with Fenland District Council's Core Strategy Policies CS1, CS10 and CS14;
 - exits from site would be dangerous given high traffic speeds;
 - the site contains medieval archaeological remains;
 - developers should adhere to local and Government planning policies - green and pleasant agricultural land of Tydd St Giles should be preserved not destroyed.

Members received a presentation, in accordance with the public participation procedure, from Mr Newham, an objector to the proposal. Mr Newham stated that he was representing the Residents and Village a fledgling forum. He stated that the proposal does not conform, is unsustainable in the countryside and unacceptable in terms of location. Policies CS1, CS3, CS12, CS14 and CS16 identify Tydd St Giles as a small village, development should be of a limited nature, restricted except where justified.

Mr Newham stated that there is no justification for the development and it could harm the wide open character of the countryside, it is not within the footprint of the village, will have an adverse impact on the surrounding area and does not respect the site and puts people at risk. The proposal does not accord with Policy CS16, Tydd St Giles is unique in its scale and character. He made reference to the NPPF, the development having safe and suitable access and there are concerns as it a stones throw away from the 60mph zone, line of sight is obscured, there is no footpath making it a danger for children.

Mr Newham stated that the proposal would set a precedent for the rest of the village and would be unsustainable development. He said that neighbourhood planning provides a set of tools for the community and this should be taken into account as the Council is 100% driven. He commented that there are archaeological remains on the site and these would be damaged by the development, the village has exceeded its expansion quote, Tydd St Giles is unique and deserves to be maintained.

Members received a presentation, in accordance with the public participation procedure, from Mr Williams, the applicant's agent. Mr Williams informed members that this is a revised application from October 2012, the land is included in a development area.

He pointed out that some of the objectors who have written letters live some considerable distance from the site, the site is agricultural, a paddock and not opposed by highways, entry and exit is just before the 30mph zone. The school have been contacted and they have confirmed that they can accommodate more pupils and the school will close if not supported. He confirmed that six letters of support have been received for affordable housing, the number of dwellings has been reduced to three and a condition has been put on the conifer hedge to replace it with hedgerow. The drainage commissioners do not object to the development, the site is 130 metres from the development boundary and there is a footpath to the school on the opposite side of the road. Mr Williams pointed out that if members were mindful to defer the application he would refine the plan subject to consultation.

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

- Councillor Hatton asked officers if there had been any comments from the Local Highway Authority. Officers confirmed that the Local Highways Authority had not responded and that earlier comments from them had raised issues regarding location, subject to certain requirements. There are no objections on highway safety, just the issue of principle remaining;
- Councillor Cornwell asked officers if the 10% building threshold had been exceeded and if it applies to this application. Officers responded that the threshold is for 27 dwellings under the 'totting up' process it does not hit the balance for the threshold;
- Councillor Sutton commented that officers have the right decision the development is to far away from the built form.

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

Refused as recommended.

6.30pm

Chairman