

PLANNING COMMITTEE



24 JULY 2013 - 1.00PM

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

APOLOGIES: Councillor D R Patrick, Councillor T E W Quince

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 Services and Governance Officer)

P30/13 MINUTES OF 26 JUNE 2013

The minutes of the meeting of 26 June were confirmed and signed.

Further to minute P19/03 - F/YR12/0936/F, in answer to a question from Councillor Hodgson regarding appropriate sites for development in Manea officers confirmed there are still outstanding issues regarding the application for Manea and this would not be considered as an agenda item at this meeting.

*** FOR INFORMATION OF THE COUNCIL ***

**P31/13 F/YR12/0408/F
DODDINGTON - 65 NEWGATE STREET, ERECTION OF 2 X 2-STOREY 6-BED
DWELLINGS AND 6 X 2-STOREY 4-BED DWELLINGS WITH DETACHED
GARAGES, INVOLVING DEMOLITION OF EXISTING DWELLING
(MR J KINGSLAND)**

Members considered objections.

Officers informed members that they did not consider that this development warranted a clawback clause given its size.

Members received a presentation in accordance with the local Council participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey informed members that the application had been agreed in principle in October 2012 and viability has been agreed. He made reference to the Growth and Infrastructure Act which allows for relaxation of Section 106 (S106) obligations. Viability has been approached in an 'Open book' manner, this enables all members to see costs, expenses and profit and has been agreed by an independent valuer. Mr Humphrey reminded members that nothing has changed since approval was given and asked them to support the viability proposals.

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

- Councillor Cornwell raised concerns regarding lower housing value in the area, no profit achievable and no S106 contribution. He stated that he was not critical of this application but asked if S106 contributions could be looked at as he feels that there is a 'catch 22' situation developing where development cannot go ahead with the current policy. He stated that Fenland is desperately short of affordable housing and asked what could be done to address the situation. Officers responded that the Core Strategy is a long-term document and outlines affordable housing provision for the future. Officers stated that it is always difficult to maximise profit with this type of scheme, being especially difficult in Fenland and the current economic climate, taking into account the relationship between housing numbers and land. The Core Strategy is going forward to inspection, policies remain appropriate and careful consideration will be given to forthcoming developments, with each being considered on its own merits. This scheme results in the loss of an existing bungalow and this cost must be recouped from profits of the scheme. Guidance from the NPPF and the Growth and Infrastructure Act consider viability on an individual basis taking into account the information put forward and a decision made accordingly. Officers confirmed that the Growth and Infrastructure Act is only in force for a temporary period. Councillor Cornwell requested that S106 contributions be considered. Councillor Miscandlon reminded members that it was important that they do not overstep legislation as it stands;
- Officers confirmed that the issues raised would be discussed with the Planning Policy Team;
- Councillor Murphy raised concerns regarding the lack of S106 funding and stated that there should be something towards education or leisure and asked if profit could be looked at when the development is complete so see if it is higher than 15%. Officers responded that an 'open book' viability assessment has been carried out, clawback had been suggested but the application has to be considered proportionately and reasonably, this is a small scheme of eight dwellings, there is an investment risk to the developer, the planning authority can only ask for a S106 contribution in line with its policy and this becomes applicable on development of ten properties;
- Councillor Murphy stated that this is likely to happen more and more and asked how many times will it happen before it is addressed as he believes it will only escalate. Officers informed members that there has to be fairness on both sides, taking into consideration the policy framework, National Planning Policy Framework and the Growth and Infrastructure Act and we must deal with applications equitably and in accordance with that legislation;
- the Legal Officer advised members that the Growth and Infrastructure Act only applies for affordable housing, not open space. He confirmed that if the 'trigger' point is reached the S106 contributions will be collected;
- Councillor Connor stated that agents should be encouraged to get it right the first time so that applications do not have to be revisited and developments are costed out before being presented to planning committee;
- Councillor Bucknor confirmed that he shares the concerns of other members and agreed that a way forward needs to be discussed;
- Councillor Mrs Newell stated that she was also concerned about viability;
- Councillor Sutton said that he believes that S106 is a name for tax on development, stating that he believes that it this was likely the reason why a developer in his village had 'gone bust' and asked if members want development in Fenland or not and referred to the 2.5% profit;

- Councillor Murphy clarified that the profit margin was projected lower than the normal 17.5%, being minus 2.5%, giving a profit of 15%, not 2.5%;
- Councillor Cornwell pointed out that the decision to build rests with the developer, his concerns are the necessity for an urgent review on planning policy. He requested a discussion around S106 policy. Councillor Miscandlon responded that S106s are monitored by officers;
- Councillor Stebbing confirmed that he shares the concerns of other members, and suggested that planning is 'hog tied' by the emerging Core Strategy and feels that something is missing in the process.

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

Granted, subject to the conditions reported.

(Councillor Humphrey declared a Non-Pecuniary Interest in this application, by virtue of him being a cousin of the Agent)

P32/13 **F/YR12/0630/F**
CHRISTCHURCH - CHRISTCHURCH MEMORIAL HALL, 11 CHURCH ROAD,
ERECTION OF 4 X 4-BED AND 5 X 3-BED 2-STOREY DWELLINGS WITH
GARAGES INVOLVING DEMOLITION OF EXISTING HALL AND BUILDINGS
(MR W POOLE)

Members considered letters of objection.

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

Officers informed members that:

- additional representation has been received following a second reconsultation on two minor amendments to the layout (ie moving plots 2/3 further forward and providing a 1 metre wide service access to the rear of the old school/the old school house), a further 9 letters of representation have been received. These raise the following concerns:
 - the application should not be approved in its current form;
 - the development would put strain on the existing infrastructure in the village;
 - surprised that the application is 'back on the books' after indications that it may no longer be financially viable. It appears to be being rushed through;
 - residents remain concerned about continued overcrowding of dwellings on current layout - would refer back to '7 house plan' tabled previously which is considered to be an acceptable alternative by the residents of Christchurch;
 - owners of the old school house requested plots 2 and 3 be moved further forward than indicated on amended plans - preferred the original proposal with one detached house further forward;
 - that the 'right of light' issue has not been addressed - no evidence of daylight/sunlight survey based on Waldram diagrams;
 - pleased that the service access path has been included, but it is not wide enough to get a vehicle down.

Additional condition (18)

Notwithstanding the details shown on the submitted plans, further details of the design and orientation of the first floor window to bedroom 4 on plot 4 shall be submitted and approved in writing by the local planning authority before development is commenced.

Members received a presentation, in accordance with the public participation procedure, from Mr Guilford, an objector to the proposal. Mr Guilford informed members that he was acting on behalf of the Christchurch Residents Committee. He confirmed that they are not opposed to some form of development on this site but feel that the current proposal is an overcrowded plan, it is not aesthetic or saleable, sales have been difficult in the past. Mr Guilford said he hoped that following members visit to the site that they would agree that nine properties were too many and a reduction of two down to seven properties would go some way to addressing residents concerns regarding the number of vehicles accessing the site.

Mr Guilford stated that the homes proposed are the wrong type and are not an affordable option, not appropriate in a small village and a more viable option is required that would benefit the village. He raised concerns that no mention has been made of clay and silt in the area, stating that piling would be required to support the footings to make them all good and should not be hammer driven, stating that the older surrounding buildings are on step footings.

Mr Guilford made reference to the Parish Council minutes of 10 October 2013 which supports the development principle but stated that all concerns need to be addressed. Mr Guilford stated he had tried to open a dialogue with both the agent and the architects but had no success. Mr Guilford said that he was grateful for the additional one metre access to the septic tank, however this needs to be the width of a vehicle for the access to be useful. He pointed out that the proposed garage blocks gates and rights of access and requested that members refuse the application in its current form and reconsider once discrepancies are dealt with.

Councillor Hodgson asked Mr Guilford if the plan had access to the graveyard. Mr Guilford confirmed that there is access to the graveyard currently.

Councillor Cornwell asked Mr Guilford to clarify the protected rear access. Mr Guilford responded that there has been a rear access for a number of years and historically there has been access to the septic tank with the landowner's knowledge.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that the application had not been rushed through and had been submitted in August 2012, subject to numerous revisions, changed numbers, orientation and access. Mr Humphrey stated that he has bent over backwards with planners. He believes this is a good workable scheme, it is supported by planners and the Parish Council, it is in the centre of the village and within the Development Area Boundary.

Mr Humphrey informed members that it is currently populated with farm buildings, the applicant cuts the grass for the benefit of the village and his client purchased the village hall with a view to developing a comprehensive scheme and to kick-start funding for a new village hall on the playing field.

Mr Humphrey confirmed that an open book appraisal has been carried out, the plot is not viable for frontage development, access over farmyard is still available and he has not been contacted by the objector. Mr Humphrey pointed out that this is a low density scheme which went from twelve to ten to nine and there is no disabled parking, the farm allows parking for funerals but there is no right to park on this site, only as a goodwill from the client.

Mr Humphrey requested that members follow officers recommendations and requested that they grant the application.

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

- Councillor Cornwell asked why Plots 1, 2, and 3 were slightly staggered. Officers responded that careful consideration to address concerns of the residential occupier had been taken into account and confirmed that the plots were not immediately in line as a result and pointed out that there wasn't a rigid building line on the main road;
- Councillor Cornwell pointed out that the smaller properties are 3-bed and asked why 2-bed properties had not been considered. Officers confirmed that there had been a scaledown as part of the scheme with the development providing both semi and detached properties. Councillor Cornwell requested that future negotiations on similar schemes should consider a mix of smaller properties;
- Councillor Hodgson asked if there has to be an entrance to the graveyard. Officers responded that access is provided due to the goodwill of the landowner;
- Councillor Murphy commented that it was fortuitous that the development had been reduced from ten to nine properties.

It was proposed by Councillor Connor, seconded by Councillor Humphrey that the application be Granted, subject to suitable conditions, but this was not supported on a majority vote by members.

Councillor Miscandlon suggested that if members were minded they could defer the application to allow the applicant to look at a different mix of dwellings and take into account concerns of residents.

Councillor Cornwell commented that the design was not sustainable for the village. Councillor Mrs Newell agreed, commenting that she was not happy with the housing mix.

Officers reminded members that if the application were to become the subject of an appeal evidence to support such a decision would need to be tabled. Mr Humphrey responded that he would be happy to return to the applicant but would like some guidance as to what members considered acceptable as a mix of housing, scale and development. The Legal Officer advised members that it would be good for them to give Mr Humphrey more information regarding what they want exactly as this would be more helpful. Councillor Cornwell stated that he had already pointed out the mix of development required.

Councillor Cornwell commented that he would prefer a small number of 2-bed properties in the mix and more sustainability for the benefit of younger people of the village.

Councillor Mrs Newell requested that the application be deferred and requested more indepth viability training and asked if this is in hand. Officers confirmed that the training would be set within the next month.

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

Defer, to allow the Agent to consider the mix of development and take into considerations concerns of residents.

Members do not support officers recommendation of Grant of planning permission as they feel that the proposal requires a more acceptable mix and type of housing.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of the applicant being a good friend and him taking part in discussions regarding this application prior to becoming a Member of the Planning Committee)(Councillor Humphrey declared a Non-Pecuniary Interest in this application, by virtue of him being a cousin of the Agent)

P33/13 **F/YR12/0962/O**
PARSON DROVE - LAND NORTH OF 9 RIVERSIDE GARDENS, ERECTION OF
4NO 2-STOREY CHALET-STYLE DWELLINGS
(MR A SPRIGGS)

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 made comments, asked questions and received responses as follows:

- Councillor Murphy commented that this is a good application, it mixes in with surrounding properties and should be considered as the end of the building line for the village;
- Councillor Stebbing commented that this is a good development.

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

Granted, subject to the conditions reported.

(Councillor Humphrey declared a Non-Pecuniary Interest in this application, by virtue of his ownership of a property in Riverside Gardens, and retired from the meeting for the duration of the discussion and voting thereon)

P34/13 **F/YR13/0110/F**
WHITTLESEY - DRAKES FARM, KINGS DELPH DROVE, ERECTION OF A 2-
STOREY 3-BED DWELLING
(MR R WARREN)

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey thanked members for deferral of the application to allow evidence to support viability to be provided. Mr Humphrey informed members that the viability report had been prepared by Brown and Co and it had been emailed to officers, all members and substitute members so that they could consider the full report. He confirmed that the applicant does have CCTV and there have been ten attempted break-ins on the site, these have not always been reported to the police as they are only available between 9.00am to 5.00pm three days per week and it cannot be guaranteed that a break-in will happen in this period.

Mr Humphrey confirmed that the applicant has consent for temporary residential use to allow the business to expand and stated that the site needs a dwelling as part of its business. He informed members that the applicant employs 20 full time staff, have been in business for 25 years since 1988, there is good financial support and a functional need for management to support the long hours worked on site throughout the year and the property proposed is appropriate to the scale and nature of the business.

He stated that the applicant has secured landscaping work for £440,000 work this week for which he will need additional equipment and 6-8 extra staff will be employed. Mr Humphrey referred to the Councils 'Open for Business' policy and requested that members support the application as the need has been justified.

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

- Councillor Stebbing informed members that he is aware of the location, it is very remote from an access point of view, the state of the road is deplorable and it is important that someone lives on site and the application should be supported;
- Councillor Hodgson made reference to the lack of comments received following consultation and said this was a concern. Officers confirmed that they have checked the file and no consultation response has been received from the local highway authority;
- Councillor Mrs Mayor stated that she supports Mr Humphrey wholeheartedly and a dwelling should be built for security reasons and it is not good enough to rely on police from other areas and the applicant should be allowed to live in a proper dwelling and she supports the application;
- Councillor Sutton asked if the proposed dwelling is a direct replacement for the mobile home that is currently on site. Mr Humphrey confirmed that the mobile home will be replaced and removed;
- Councillor Mrs Newell commented that the current accommodation is unsuitable and referred to the Town Council's recommendation for the property to be built as a workplace home;
- Councillor Miscandlon confirmed to Councillor Hodgson that the application had been deferred for the provision of a business plan, this had been forwarded to all members of the committee and Councillor Hodgson agreed that he had no objection to the business plan;
- Councillor Mrs Mayor commented that the application had been deferred for the provision of a business plan, stating that all members of the committee had seen it and it is a good business, the last thing members would want to see is this business collapsing and asked are we 'Open for Business' or not;
- Councillor Bucknor informed members that he had not received the business plan and from what he had heard from comments from members in relation to it did not seem to be positive. Councillor Miscandlon confirmed that although the business plan had been submitted this had not changed officers interpretation of the business and their decision remained the same. Officers confirmed that a new dwelling in the countryside must fulfill both functional and financial requirements, this is a successful business and can support a dwelling however there needs to be justification that there is a need for on site presence that require 24 hour care and these are usually associated with crops or animals which are not a consideration of this application;
- Councillor Bucknor asked if the property would be tied to the business;
- Councillor Cornwell commented that the application has everything going for it and will support the application;

- Councillor Connor confirmed that he did not want to jeopardise the business;
- Councillor Sutton commented that he did not want to jeopardise the business and would support it if the dwelling was a direct replacement for the Certificate of Lawful Use and asked if this could be conditioned. Officers confirmed the required conditions;
- the Legal Officer informed members that consideration would need to be given as to how the caravan is removed and this should be included in the agreement. Officers agreed that the legal process for Certificate of Lawful Use may require legal consideration this would be highlighted as an issue to ensure that the process could be addressed correctly outside the meeting;
- Councillor Humphrey asked officers to clarify the link to the business and restrictions on the business if it has no land. Officers confirmed that the space is associated to the business and would be available to a similar business, if the business were to fail the assets of land and the dwelling would be available as a whole.

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

Granted, subject to the following conditions:

1. **Start date full;**
2. **Contaminated Land;**
3. **Link the dwelling to the Business in perpetuity;**
4. **Materials;**
5. **Landscaping Implementation;**
6. **Surface Water Drainage;**
7. **Approved Plans;**
8. **Legal agreement to secure the removal of the caravan on the adjoining site.**

Members do not support officers recommendation of Refusal of planning permission as they feel that the proposal supports an existing business and addresses on-site security issues.

(Councillors, Connor, Cornwell, Hodgson, Humphrey, Miscandlon, Mrs Mayor, Murphy 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 Miscandlon registered in accordance with Paragraph 15 of the Code of Conduct on Planning Matters, that he is a member of Whittlesey Town Council and stated that he will consider all relevant matters before reaching a decision on this proposal)

(Councillor Mrs Mayor stated that she is a Member of Whittlesey Town Council, is not on the planning committee and takes no part in planning matters)

(Councillor Stebbing stated that he is a Member of Whittlesey Town Council, but takes no part in planning matters)

(Councillor Humphrey declared a Non-Pecuniary Interest in this application, by virtue of him being a cousin of the Agent)

P35/13

F/YR13/0233/F

WISBECH ST MARY - WILLOCK FARM, WILLOCK LANE, ERECTION OF A 4-BED 2-STOREY DWELLING WITH DETACHED TRIPLE GARAGE WITH STORE OVER (MR A WHITE)

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:

- an aboricultural report was requested to assess the impact on trees and was received on 23 July 2013;
- amended plans with a revised design was received on 23 December relating to the triple garage plans;
- a letter was received from the applicant which made the following points:
 - feels that the previous permission did not resemble current home or fit in with the character of the area;
 - tried to make the plans similar to the barn;
 - hope to alter the appearance of the garage.

Members received a presentation, in accordance with the public participation procedure, from Mr Broker, the applicant's agent. Mr Broker gave his apologies for the late submission of the tree survey. Mr Broker pointed out that there had been a difference of opinion with the planning officer regarding what the applicant was trying to achieve on the site. Mr Broker stated that the plan is a good idea, being a rural barn type building and provided a three dimensional view, drawn to scale which shows the new building against the existing barn conversion.

Mr Broker pointed out that the applicant is a builder and the conversion is tastefully done. He pointed out officers refer to the area and site itself holding a rural character and the proposed dwelling being a mismatch of styles. Mr Broker stated that the dwelling is complimentary and considers officers suggestions to be way off the mark. He informed members that the builder intends to live in the house, he conceded that the garage needs 'tweaking' and pointed out that an upgraded plan has been submitted in conjunction with the applicant's letter and requested that members give their approval to the application.

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

- Councillor Bucknor commented that he liked the new building, it was better than the previous proposal;
- Councillor Hodgson commented that he agreed with officers' recommendations;
- Councillor Mrs Mayor asked if any comments had been received from North Level as it was not normal for them to not respond;
- Councillor Miscandlon informed members that missing consultation responses from outside organisations had been noted and were being addressed.

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

Granted, subject to the following conditions:

- start date;
- flood risk;
- material samples;
- landscaping;
- tree replacement;
- planning authority tree works;
- parking and turning;
- approved plans.

Members do not support officers recommendation to refuse planning permission as they feel that the design of the dwelling is in keeping and compliments the other building and takes notice of localism.

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

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

(Councillor Miscandlon registered in accordance with Paragraph 15 of the Code of Conduct on Planning Matters, that he is a member of Whittlesey Town Council and stated that he will consider all relevant matters before reaching a decision on this proposal)

P36/13

F/YR13/0256/F

THORNEY TOLL - LAND SOUTH OF TOLL FARM, WISBECH ROAD, ERECTION OF 1 X 4-BED 2-STOREY DWELLING WITH DOUBLE INTEGRAL GARAGE AND 2 X 4-BED 2-STOREY DWELLINGS WITH SINGLE INTEGRAL GARAGE (P & R HARRISON)

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

Officers informed members that:

- further plans showing details of the access with the A47 and the site have been submitted. Cambridgeshire County Council Highways and the Highways Agency have been consulted on the details submitted;
- a response has been received from the Highways Agency as follows:
 - in their original response they indicated a requirement for the access to conform to design manual for roads and bridges standards and sought to enquire if the access could be incorporated with that of the adjacent property;
 - MTC advised that they are unable to share access;

- the submitted drawing indicates a design to the standards but is far in excess of requirement for the existing use and the three proposed properties;
- whilst the use of the access will intensify, a condition that a passing place be provided within the access driveway to enable vehicles to pass without the need to wait on the A47 would avoid a road safety concern;
- visibility requirements already exist and therefore it would be unreasonable to request the existing vehicular access be amended;
- the following condition should be attached to any permission given:
 - the application hereby permitted shall not be brought into use unless and until a passing place at least 2.0 metres in width and 8.0 metres in length, excluding tapers, has been constructed at a maximum distance along the access driveway of not more than 15 metres back from the footpath on A47 to the start of the taper, and the passing bay shall be available for use at all times;
 - reason: in order that vehicles leaving and entering the application site can do so without needing to wait on the A47 trunk road and so that the A47 trunk road continues to perform its function as part of the strategic road network in accordance with section 10(2) of the Highway Act 1980 and for the reasonable requirement of road safety on that road;
- no response has been received from Cambridgeshire County Council Highways Team to date, however their original comments related to the adoptability of the internal access road rather than where it adjoins the A47. As such, given the comments received from the Highways Agency it is recommended that refusal reason 3 is removed in this instance.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey the applicant's agent. Mr Humphrey stated that this is a logical site and is surprised that it has not been developed before. It is adjacent to the village hall, is surrounded by development and situated on the main A47. He pointed out that it is classed by officers as open countryside, however it is near a public house, a garage and on a main bus route through Fenland. It has employment and is in a sustainable location and highway concerns have been overcome. Mr Humphrey stated that the application is for three attractive dwellings, however it is not liked by planning officers as the design is subjective. Mr Humphrey pointed out that we don't want all semi-detached type council houses, these are pleasant family houses which are lacking in this hamlet.

Mr Humphrey stated that houses can be built on a Flood Zone 3, the site is protected for 100 years against tidal events and he stated that he is pleased that members make different decisions to officers and is pleased that the application is being considered by members. He pointed out that the application is supported by the Parish Council and requested that members do the same.

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

- Councillor Cornwell commented that he was surprised that more did not vote at the Parish Council and was surprised at the number of abstentions and he feels that officers have it right and the houses are completely out of character and supports the officer recommendations;
- Councillor Connor agreed with Councillor Cornwell and commented that the proposal 'did not have much going for it';

- Councillor Murphy commented that it was hardly conclusive that the Parish Council have ten members and only four voted with six abstentions. He pointed out that street lighting and drainage were not included in the plans and stated that the site will not support additional development. The farm access will have increased use, the risk of accidents on the A47 may increase as it is a very busy road. Policy CS3 does not include town or village classifications and the site is overintensified. He stated that it is against Policies CS12, 14, 15 and 16, the scale is wrong and the visual impact and agreed that it should be refused;
- Councillor Mrs Mayor commented that she agreed with other members comments, they are attractive houses but in the wrong location;
- Councillor Hodgson pointed out that the site is in Flood Zone 3 and that Agenda Item 7 was also in Flood Zone 3.

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

Refused for the following reason:

1. **The proposed development, which is located outside of any main settlement, will be situated within open countryside and has not been justified as essential for a worker to live close to a rural enterprise. As a result the proposal is contrary to the provisions of the National Planning Policy Framework paragraph 55, Policies E1, H3 and H16 of the Fenland District Wide Local Plan and Policies CS12 and CS16 of the Fenland Local Plan Core Strategy – Proposed Submission February 2013;**
2. **The proposal, by virtue of the design and layout, would not enhance the character and appearance of this rural location and is not innovative or outstanding. The application is therefore contrary to Policy E8 of the Fenland District Wide Local Plan, Policies CS12 and CS16 of the Fenland Local Plan Core Strategy – Proposed Submission February 2013 and Paragraph 55 of the National Planning Policy Framework;**
3. **The site is located within Flood Zone 3. The applicant has failed to demonstrate that the site is acceptable for housing development in sequential terms when compared to other available sites in the wider area which have a lower probability of flooding. The proposal is therefore contrary to Policy CS14 of the emerging Fenland Local Plan Core Strategy – Proposed Submission February 2013.**

(Councillor Humphrey declared a Non-Pecuniary Interest in this application, by virtue of him being a cousin of the Agent)

**P37/13 F/YR13/0258/F
BENWICK - LAND WEST OF 40 LILYHOLT ROAD FRONTING HIGH STREET,
ERECTION OF A RETAIL UNIT AND 2 X 2-BED FLATS ABOVE INVOLVING
DEMOLITION OF EXISTING BUILDING
(MR B SISODIYA)**

Members considered letters of objection.

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

Officers informed members that:

- plans have been received showing retention of trees on the northern boundary and cycle stands shown along the high street. The railings close to the war memorial have been reduced in height;
- the agent has confirmed that the applicant is willing to enter into a unilateral undertaking in respect of funding any future requirement for a traffic regulation order, should parking become an issue, being monitored, providing double yellow lines if an issue.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Chapman, Chairman of Benwick Parish Council. Councillor Chapman stated that the principle objections are to highway safety, the application does not meet visual splay and there is a speeding issue through the village. He pointed out that the development is on a main pedestrian route to the school and there is no crossing in that area. He reiterated that the Parish Council think that there is a safety issue and the whole site should be reconsidered with interaction of the local residents with a vision of what the site will look like as he feels that local residents concerns have not been addressed. He pointed out that this is not a wide high street, it is next to a public house and requested that the overall plan of the shop needs to be scaled back to address the parking issue.

Councillor Miscandlon made reference to the 20mph speed limit for the school and asked how far this was in relation to the proposed development. Councillor Chapman responded that the 20mph speed limit is 100 metres from the junction of Lilyholt Road and this had been requested because of parking issues and the school is 150 metres from where the shop would be situated.

Councillor Mrs Mayor asked how long ago the village shop had been closed. Councillor Chapman confirmed that the shop had been closed about five years, it had changed hands twice, had a post office inside, a smaller footprint than the new proposal, did not generate interest and was not viable.

Members received a presentation, in accordance with the public participation procedure, from Mr Bevens, the applicant's agent. Mr Bevens informed members that the proposal was the subject of preapplication discussions and pointed out that the client manages a similar convenience store in Manea, which is the hub of the community.

Mr Bevens stated that this proposal provides a similar facility for positive community benefit. He pointed out that the site visit would have shown that the site is vacant, is in the centre of Benwick and is an eyesore. He pointed out that the shop and flats have been amended at the request of officers and highways, being less than two-storey height. He pointed out that a traffic survey has been carried out independently, observing vehicle movement and traffic tends to travel north down the High Street. The shop will be in a central location and most visitors are expected to travel by foot to the shop and the applicant is agreeable for traffic to be monitored over a 12 and 24 month period to see if a Traffic Order is required.

Mr Bevens referred to the Council's 'Open for Business' mantra and believes that this proposal supports that by providing local shopping facilities. Mr Bevens pointed out that the railings of the War Memorial have been amended and that the shop would provide regeneration and cater for the retail needs of Benwick and asked members to support the application for approval.

Councillor Stebbing commented that he understands the need for a shop, but raised concerns regarding the building line on High Street which he noticed on the site visit and the new building removes parking. Councillor Stebbing asked Mr Bevens where he envisaged customers parking. Mr Bevens responded that most would park on the opposite side of the road and most of the traffic will be on foot and the shop will benefit the village.

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

- Councillor Mrs Newell stated that she is a Fenland District Councillor, not a Benwick Councillor, however she has received numerous telephone calls from residents in Benwick to say that they would like a shop and post office. Councillor Mrs Newell commented that the history on this site shows that everything has been granted back to 2005, she remembers when there were was a garage and lorries and there was no problem at that time with parking. The calls taken from Benwick residents shows that they desperately want a shop and she thinks it is needed;
- Councillor Cornwell commented that he is 'torn' on this one, he appreciates that there is a demand in a village for certain goods and this is a brownfield site and an eyesore. The proposed building is way outside the building line, the corner is dangerous, if the building were set back this may ease the parking issue. Comments of the Parish Council show that they are not happy with the proposal, there are safety issues with a corner plot and the war memorial. If there were to be a more suitable site in the village on balance he would go against the proposal;
- Councillor Murphy commented that he is in favour of sustainable development, the Council is 'Open for Business', there is no business in Benwick, something is needed and the war memorial will look better with a building beside it. He agreed that delivery vehicles will have to reverse, but that is what delivery vehicles do, they do it everywhere. Policy CS6 seeks to encourage development in local centres and that is how it should be. There are five parking spaces for shoppers, it is not a big store, people will just call in and won't be in there very long and he agrees with the officers recommendation to grant approval of this application;
- Councillor Hodgson commented that he agreed that the parking problems would be no worse than when the site was a garage;
- Councillor Sutton commented that having been without a shop in Christchurch, their village shop is closer to a corner than this is, in a small village and he believes officers have it right;
- Councillor Connor commented that the view is no worse than when the garage was in business and there is a 20mph speed limit near the school, Fenland is 'Open for Business' and members should support the application.

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

Granted, subject to the conditions reported.

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

(Councillor Miscandlon registered in accordance with Paragraph 15 of the Code of Conduct on Planning Matters, that he is a member of Whittlesey Town Council and stated that he will consider all relevant matters before reaching a decision on this proposal)

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

P38/13 **F/YR13/0274/F**
MURROW - LAND NORTH OF LAKESIDE MANOR AND EAST OF SYCAMORE
FARM, SEADYKE BANK, ERECTION OF 2 X 2-STOREY 3-BED DWELLINGS
(MR R HUMPHREY)

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 Humphrey, the applicant's agent. Mr Humphrey stated that this is a small parcel of land with residents opposite, nearby and either side of it. He confirmed that highways issues have been addressed. Mr Humphrey pointed out that the farmer is unable to do anything with the land and the proposal is not dissimilar to other dwellings, with one other being 150 metres closer to the village than this one. He stated that there is employment nearby, Middle Level have not comments, North Level have raised no issues and there have been no comments from local residents and the properties offer the opportunity for housing and eco-friendly homes. He pointed out that there is a similar development not too far away, similar to one already approved and provides much needed housing in the centre of the village.

Councillor Bucknor asked Mr Humphrey to explain why this application was for semi-detached and not detached properties. Mr Humphrey confirmed that he had spoken with the applicant and this is not the most desirable of roads, the nearby Travellers' site does not add value to its location and the proposed semi-detached properties would provide a next step up for Travellers'.

Councillor Keane asked Mr Humphrey why there was no footpath proposed to the shops and centre. Mr Humphrey responded that this would not be viable.

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

- Councillor Sutton commented that the development is too far out of the village and there is no footpath;
- Councillor Connor commented that the development is outside the Development Area Boundary, has no footpath and small bedroom semis are not sustainable and he believes that officers have made the correct decision.

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

Refused for the following reasons:

1. **The proposed development, which is located outside the main settlement of Murrow, will be situated within open countryside which forms the rural character of this part of the village and has not been justified as essential for a worker to live close to a rural enterprise. As a result the proposal is contrary to the provisions of the National Planning Policy Framework paragraph 55, Policies E1, H3 and H16 of the Fenland District Wide Local Plan and Policies CS12 and CS16 of the Fenland Local Plan Core Strategy – Proposed Submission February 2013;**

2. **The proposal, by virtue of the design and layout, would fail to enhance the character and appearance of this rural location and is neither innovative nor outstanding. The application is therefore contrary to Policy E8 of the Fenland District Wide Local Plan, Policies CS12 and CS16 of the Fenland Local Plan Core Strategy – Proposed Submission February 2013 and Paragraph 55 of the National Planning Policy Framework;**
3. **The site is considered to be in an unsustainable location by virtue of the distance to the nearest facilities and the lack of footpaths in the area, resulting in poor pedestrian access to and from the site. This would lead to a reliance on the private car and as such is contrary to the provisions of Policies CS1, CS3, CS12 and CS16 of the Fenland Local Plan – Proposed Submission February 2013 and Paragraphs 14 and 55 of the National Planning Policy Framework.**

(Councillor Humphrey declared a Non-Pecuniary Interest in this application, by virtue of him being a cousin of the Agent)

P39/13

F/YR13/0268/F

GUYHIRN - LAND NORTH WEST OF GREEN ACRES, GULL ROAD, ERECTION OF 9NO 2-STOREY 4-BED DWELLINGS COMPRISING 4 X 3-BED AND 5 X 4-BED WITH DETACHED GARAGES TO PLOTS 5-9 (MR M WRIGHT)

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 Fire Authority request the provision of fire hydrants to serve this development;
- the adjacent road B1187 has a speed restriction of 40mph not the national speed restriction of 60mph as reported by CCC Highways;
- no comments have been received from the Parish Council.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that he was surprised that the development was recommended for refusal. He pointed out that the development accords with Policy CS12, is not piecemeal but a comprehensive scheme with four affordable houses and is a mix of housing which is what is needed in the village. He pointed out that there are fourteen properties beyond this site, eight built in the last ten years and the school has a capacity of eighty four.

Mr Humphrey stated that he feels that all concerns have been addressed, the site has a footpath to the local village, it is within walking distance of the local pub, village hall and 'Play Today'. He pointed out that items 7 and 11 on the agenda have been approved and are in Flood Zone 3 and that we would allow affordable housing on this site. Mr Humphrey pointed out that the Environment Agency are happy and it is a good scheme of linear frontage development. Mr Humphrey asked members to be consistent stating that he feels strongly that the site does comply with Policy CS12 and requested that members grant the application.

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

- Councillor Mrs Newell asked for a point of clarification regarding the speed reduction on the B1187. Officers confirmed that the speed had reduced quite recently from 60mph to 40mph;
- Councillor Mrs Mayor raised concerns that the Internal Drainage Board and the Environment Agency had not responded to the consultation bearing in mind that the proposal is in Flood Zone 3;
- Councillor Hodgson commented that he had no objections to the proposal, there are several consultations awaited, neighbours have not commented and the development is only one kilometre away from village hall, close to the local pub, bus stop, is inside the village sign and he does not believe the development is a problem;
- Councillor Bucknor requested that the aerial photograph be displayed on screen and commented that it seemed as though the development will fill in a part of the village. At Councillor Bucknor's request officers explained the village location on the photograph;
- Councillor Murphy asked for clarification regarding the mention of four affordable houses on the site. Officers pointed out the provision of four units provided on the screen presentation, referring to policy that requires only one unit on site and a 0.8 financial contribution. Councillor Murphy commented that Councillor Cornwell's earlier comments regarding the need for a mix of development picks up on this requirement;
- Councillor Sutton questioned the distance from the site to Guyhirn suggesting that 1.1 kilometres is incorrect and said he was of the view that members should refuse the application as it was further out of the village;
- Councillor Cornwell commented that the problem is that this part of Gull Road is not part of the village and this development opens up land on the opposite side of the road.

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

Granted, subject to S106 relating to the provision of four units on site as agreed by the agent and the following conditions:

1. **Start date;**
2. **Landscape implementation;**
3. **Materials for walls and roof;**
4. **Contaminated Land survey;**
5. **Existing footway be widened to 1.5 metres;**
6. **Access dimensions;**
7. **On-site parking;**
8. **Temporary construction facilities;**
9. **Access drainage;**
10. **Drainage - surface and foul drainage provision;**
11. **Development in accordance with the Flood Risk Assessment.**

Members do not support officers recommendations of Refusal of planning permission as they feel that the development is within a built up area and will provide affordable housing.

(Councillor Humphrey declared a Non-Pecuniary Interest in this application, by virtue of him being a cousin of the Agent)

P40/13 **F/YR13/0317/O**
MARCH - LAND SOUTH OF WESTRY HALL, 351 WISBECH ROAD, ERECTION
OF 4NO DWELLINGS WITH GARAGES
(MR AND MRS A SCHOFIELD)

Members were informed that this application had been withdrawn from the agenda and would not be considered at this meeting.

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

Councillor Humphrey left the meeting at 4.05pm following determination of this application.

Councillor Stebbing left the meeting at 4.05pm following determination of this application

Members took a 5 minute break following determination of this application.

P41/13 **F/YR13/0327/F**
ELM - REGONA, 50 FRIDAYBRIDGE ROAD, ERECTION OF A 2-STOREY REAR
EXTENSION AND CONVERSION OF LOFT TO FORM ADDITIONAL LIVING
ACCOMMODATION TO EXISTING DWELLING
(MR AND MRS PARRIN)

Councillor Murphy asked officers why this application was before members and would it normally have been approved by delegated powers. Officers responded that the application was before members due to the planning agent being an elected member of Fenland District Council and was being considered in accordance with the scheme of delegation.

Proposed by Councillor Murphy, seconded by Mrs Newell 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 employed by the applicant's agent, and retired from the meeting for the duration of the discussion and voting thereon)

P42/13 **F/YR13/0344/F**
CHATTERIS - 5-7 POUND ROAD, CONVERSION OF ONE DWELLING TO FORM 1
X 2-BED DWELLING INVOLVING DEMOLITION OF EXISTING SECTION AND
ERECTION OF SINGLE STOREY EXTENSION AND 1 X 3-BED DWELLING
INVOLVING ERECTION OF A 2-STOREY EXTENSION
(MR AND MRS D GRIGGS)

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

Officers informed members that:

- Members had queried when the building was last used as two dwellings during site inspections. From Council Tax records it appears that the building has been used as one dwelling for some considerable years. However, the historical maps that the Council holds clearly show that the building was indeed two dwellings – numbers 5 and 7 Pound Road.

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

- Councillor Mrs Newell pointed out that this is a very narrow road, that people do use their cars and there is not enough parking;
- Councillor Murphy pointed out that the Town Council recommend refusal and made reference to paragraph 17 of the National Planning Policy Framework 'seek to ensure high quality design', development should be visually attractive and CS16 of the District Wide Local Plan regarding parking requirements;
- Councillor Hodgson commented that he had mixed feelings as the building is very derelict and needs refurbishing and anyone living there will also park there;
- Councillor Cornwell commented that the building is in need of refurbishment or being demolished, it can be renovated and parking can be provided;
- Councillor Sutton commented that there is a need to balance bringing properties back into use against parking problems and he feels that the priority is to bring dwellings back into use;
- Councillor Bucknor commented that he agreed with Councillor Sutton with the only alternative being to remove the houses, pointing out that there is a housing need and this development may require parking for two cars;
- Councillor Connor commented that this could be one 3-bed house with off road parking;
- Councillor Murphy commented that he could not remember the dwelling being two properties and feels that two is overdevelopment of the site. Officers pointed out that consent would not be required for a single dwelling.

It was proposed by Councillor Sutton, seconded by Councillor Hodgson that the application be Granted, subject to suitable conditions, which was not supported by a majority on vote by members.

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

Refused for the following reasons:

- 1. the proposed development would be overdeveloped;**
- 2. there would be insufficient parking provision for two dwellings.**

Members do not support officers recommendations of Grant of planning permission as they feel that the site would be overdeveloped and there would be insufficient parking provision.

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

P43/13 **F/YR13/0358/F**
MARCH - LAND NORTH OF 28A UPWELL ROAD FRONTING NOBLE GARDENS,
ERECTION OF A 2-BED SINGLE-STOREY DWELLING
(MR A WHITE)

Members considered letters of objection.

Officers informed members that:

- there has been one further letter from an occupier of a neighbouring dwelling who has commented previously. This response has been received following amended plans showing the gates repositioned and removal of the decorative quoins on the proposed bungalow;
- concerns are still expressed with regard to the suitability of the road for construction vehicles. In addition concern is raised with regard to visibility and the application site including the footpath. These matters have been addressed under the heading Highway Safety within the report on pages 162 and 163 of the Agenda and the Highway Authority are satisfied with the proposal.

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

- Councillor Cornwell asked if the size of the garden meets specified requirements. Officers responded that the emerging Core Strategy shows that one third of the site should provide garden space and previous approval has been given on the site. The area has been increased to ensure that there is adequate amenity space since the last approval;
- Councillor Miscandlon made reference to the photographs of the road scheme and asked if the 6 foot fence shown will be retained or lowered. Officers responded that plans do not indicate that it will be retained;
- Councillor Connor referred to the approval granted in 2007 and 2009 and was of the view that he was happy to support officers recommendations to approve the application;
- Councillor Hodgson commented that if the applicant had not been a Councillor the decision would probably have been delegated.

Proposed by Councillor Connor, seconded by Councillor Mrs Mayor 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 employed by the applicant's agent, and retired from the meeting for the duration of the discussion and voting thereon)

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

P44/13 **F/YR13/0383/RM**
GUYHIRN - LAND NORTH OF ROSE LODGE, SELWYN CORNER, ERECTION OF
2-STOREY 4-BED DWELLING WITH DETACHED GARAGE
(MR AND MRS D & M J PATTEN)

Members considered one letter of objection.

Officers informed members that:

- a neighbour has pointed out that one of the documents submitted with the application uses their address in error rather than the site address;
- the Agent has been asked to amend the document to reflect the correct address and this is still awaited.

Councillor Mrs Mayor asked if the drain at the back would be the required distance from the site as no responses have been received from the Town Council, North Level or Middle Level and would it be part of the outline permission. Officers responded that this would have been considered at outline stage.

Proposed by Councillor Connor, seconded by Councillor Mrs Newell 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 employed by the applicant's agent, and retired from the meeting for the duration of the discussion and voting thereon)

P45/13 **F/YR13/0387/F**
RINGS END - LAND EAST OF WALDERSEA FARM, MARCH ROAD, ERECTION
OF A 2-STOREY, 3-BED DWELLING WITH ATTACHED GARAGE
(MR P CROWSON)

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

Officers informed members that:

- the Agent has submitted information relating to the trees on and adjoining the site. The information has been assessed by the Arboricultural Officer who advises that insufficient detail has been provided in order to be able to assess the impact of the development on the trees. The information does not meet the requirements of BS5837:2012 and as such it cannot be determined if the proposed development will impact on the RPZs of the trees. Therefore a further reason for refusal is:

- the proposal is contrary to the provision of Policy CS16 of the Fenland Local Plan Core Strategy - Proposed Submission February 2013 and Policy E8 of the Fenland District Wide Local Plan, 1993 in that insufficient information has been submitted to demonstrate that the development would not cause any harm to the existing trees on and around the site.

Members received a presentation, in accordance with the public participation procedure, from Mr Broker, the applicant's agent. Mr Broker stated that the tree survey does not demonstrate that the trees are protected and there are no trees within the vicinity of the building, the nearest being 25 metres away. He informed members that the dwelling is contained within the residential area of Rings End, pointing out that the site is not in the open countryside or an open field, nor does it extend residential use into the open countryside. The site is delineated by a line of trees and is part of the residential garden of Waldersea Farm bungalow. He pointed out that there are houses north and south of the site, it fails flood risk and so do some other recently approved schemes. Mr Broker confirmed that it does have footpath links and local facilities in Guyhirn, the dwelling is a necessity as the applicant was born in Rings End and has had a business there for 35 years, is close to retirement and wants to remain in the area to keep his family close by. Mr Broker requested that members view the application favourably.

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

- Councillor Hodgson referred to the number of consultation responses still awaited as this appears to be more than normal;
- Councillor Miscandlon requested that officers write to Parish and Town Council clerks to impress upon them the importance of their need to reply to consultation within the required timescale;
- Councillor Cornwell referred to page 179 of the report 'the proposal is positioned behind the established building line' and this is against policy according to the report.

Proposed by Councillor Cornwell, seconded by Councillor Murphy and decided that the application be:

Refused for the following reasons:

- 1. the proposal would result in an unjustified form of residential development beyond any established settlement. The proposal is therefore contrary to H3 and H16 of the Fenland District Wide Local Plan, CS3 of the Fenland Local Plan Core Strategy (Proposed Submission February 2013) and Section 06 of the NPPF;**
- 2. the proposal is contrary to CS14 of the emerging Fenland Local Plan Core Strategy (Proposed Submission February 2013) and Section 10 of the National Planning Policy Framework in that the development is located in a high risk flood area despite there being sequentially preferable land available in lower flood risk areas within the District. The applicant has failed to demonstrate there are wider sustainability benefits to the community by locating the development on this particular site and no evidence has been provided to show how flood risk will not be increased elsewhere within the locality;**

3. **the proposal is contrary to the provision of Policy CS16 of the Fenland Local Plan Core Strategy - Proposed Submission February 2013 and Policy E8 of the Fenland District Wide Local Plan, 1993 in that insufficient information has been submitted to demonstrate that the development would not cause any harm to the existing trees on and around the site.**

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

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

**P46/13 F/YR13/0390/F
MARCH - LIDL, DARTFORD ROAD, ERECTION OF A FRONT EXTENSION AND
ALTERATIONS TO EXISTING FOOD STORE INCLUDING ENCLOSURE OF
EXISTING DELIVERY BAY AND INSTALLATION OF AIR CONDITIONING UNITS
(LIDL UK GMBH)**

Members considered a letter of concern.

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:

- Highways - an amended parking layout has been provided which now results in a total of 80 spaces available which is a reduction of only 20 spaces from the current 100 spaces;
- a parking survey has been undertaken and it transpires that the maximum occupancy during two 15 minute periods across the Saturday peak period is 63 spaces with an average occupancy of 41 spaces and 85th percentile occupancy of 59 spaces in relation to the current provision of 100 spaces;
- bearing in mind the modest increase in retail floor area of only 221 square metres the final parking level of 80 spaces now meets the Fenland Core Strategy standards;
- Two additional conditions as follows:
 1. prior to the first occupation of the development the proposed on-site turning and parking area (including cycle parking provision) shall be laid out, demarcated, levelled, surfaced and drainage in accordance with the approved plan and thereafter retained for that specific use;
 2. temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

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

Granted, subject to the conditions reported.

(Councillor Connor declared a Non-Pecuniary Interest in this application, by virtue of him owning the property adjoining the application, and retired from the meeting for the duration of the discussion and voting thereon)

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

P47/13 **F/YR13/0101/PLANOB**
MARCH - LAND SOUTH OF ELLIOTT ROAD, MODIFICATION OF PLANNING
OBLIGATION ATTACHED TO PLANNING PERMISSION F/YR07/0385/O

Members received a presentation, in accordance with the public participation procedure, from Ms Coulson, the applicant for the proposal, speaking in support of the application. Ms Coulson explained the reason why viability testing was required: ie - to secure funding from the Homes and Community Agency their viability must be tested on an open market basis to maximise private funding they secure, including loans and bonds to deliver housing schemes. Ms Coulson stated that she would like to reassure Councillors that the scheme would be delivered as a development of mixed affordable and shared ownership dwellings, built out and delivered by November 2014 and January 2015.

Councillor Cornwell asked Ms Coulson is this a funding technicality, does it affect the delivery of the scheme itself. Councillor Miscandlon assured Councillor Cornwell that the viability test would not affect delivery of the scheme in any way. Ms Coulson responded that viability testing was purely to secure grant funding assessed by site on an open market basis, with the valuation being shown on the file.

The Legal Officer asked Ms Coulson if Roddons have purchased the site. Ms Coulson responded that contracts have been exchanged subject to planning permission being granted.

Councillor Sutton commented 'let's get building'.

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

Grant the Deed of Variation for the following reason:

- 1. Removal of the Fifth Schedule of the Planning Obligation attached to application F/YR07/0385/O dated 7 December 2007, which makes reference to the provision of affordable housing.**

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

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