

PLANNING COMMITTEE



18 SEPTEMBER 2013 - 1.00PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor D W Connor (Vice-Chairman), Councillor M G Bucknor, Councillor M Cornwell, Councillor Mrs K F Mayor, Councillor P Murphy, Councillor Mrs F S Newell, Councillor D R Patrick, Councillor T E W Quince, Councillor D Stebbing, Councillor W Sutton.

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

P64/13 MINUTES OF 21 AUGUST 2013

The minutes of the meeting of 21 August 2013 were confirmed and signed.

Further to members concerns regarding Viability Studies the Head of Planning confirmed that training for members has been arranged to take place on 9 October 2013 at South Fens Business Centre, Chatteris at 9.30am prior to Site Inspection visits. Training will be provided by Bespoke Ltd.

*** FOR INFORMATION OF THE COUNCIL ***

P65/13 F/YR12/0791/F
MANEA - LAND WEST OF TEACHERS CLOSE, ERECTION OF 43 DWELLINGS, COMPRISING OF: 7 X 2-STOREY 4-BED DWELLINGS WITH ATTACHED GARAGES, 14 X 2-STOREY 4-BED DWELLINGS WITH DETACHED GARAGES, 4 X 2-STOREY 3-BED DWELLINGS WITH ATTACHED GARAGES, 6 X 2-STOREY 3-BED DWELLINGS WITH DETACHED GARAGES, 2 X SINGLE-STOREY 4-BED DWELLINGS WITH ATTACHED GARAGES, 2 X SINGLE-STOREY 3-BED DWELLINGS WITH INTEGRAL GARAGES, 4 X SINGLE-STOREY 3-BED DWELLINGS WITH DETACHED GARAGES, 4 X SINGLE-STOREY 2-BED DWELLINGS WITH ASSOCIATED PARKING, AND THE FORMATION OF ALLOTMENTS, PUBLIC OPEN SPACE, AND A NEW ACCESS

Members considered letters of support and 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:

- in response to comments made by residents and the Parish Council the applicant has provided a plan showing a proposed temporary access to accommodate construction vehicles;

- a further consultation period will be required to seek views from the Parish Council, Cambridgeshire County Council (CCC) Highway Authority and residents which will inform any subsequent decision notice in terms of further conditions;
- the scheme provides an area of public open space which is unequipped. Fenland District Council's Supplementary Planning Guidance on Play Space Provision requires the following S106 Contribution on schemes of 31-50 dwellings:
 - Childrens Play Space - Provision of a 'LEAP' play area of 600 square metres including 3-5 pieces of play equipment on site;
 - Youth/Adult Play Space - Provision of 40 square metres per dwelling of Public Open Space on or adjacent to the site or a commuted sum at the rate of £800 per dwelling (£34,400) to provide Public Open Space as an extension or an upgrade to an existing facility elsewhere in the settlement;
- the applicant has agreed to meet the education, strategic waste, libraries and lifelong learning and the Fenland Rail Development Strategy contributions so far in spite of the findings of the viability assessment;
- paragraph 4.4 on page 29 of the report should read Middle Level IDB;
- as a result of necessary reconsultations regarding the provision of an access road for construction vehicles the recommendation is to approve, subject to no new objections being received in the consultation period and suitable conditions relating to this road haul;
- allotment provision will remain in the proposal to allow them to be taken up by local residents.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that there is a presumption that this development is unsustainable, it is in a sustainable location in accordance with policies CS1/2, it has the right mix of housing and the types provided give a comprehensive mix of homes. He pointed out that the development is safe from flooding being in Flood Zone 1. Mr Humphrey pointed out that Manea is a growth village and the development fulfills policy CS12 being a sustainable development. He confirmed that he had held meetings with Chris Hodson and Planning Officers and believes that the development meets the criteria of the emerging plan. He stated that comments from the Parish Council regarding access and impact of traffic generated by the development have been taken into account and informed members that a temporary access will be used and is acceptable to the local Highways Authority.

Mr Humphrey pointed out that this is an ideal site for development and stated that the applicant has agreed to pay contributions of £170,000 which he does not have to provide, not required in accordance with the viability study. The applicant has requested that the £30,000 contribution for the development of the car park at Manea Railway Station be ring-fenced for that purpose alone. Mr Humphrey pointed out that the application has been carefully prepared, he has held numerous meetings with officers and would welcome the support of members to approve the application.

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

- Councillor Miscandlon asked if the £30,000 contribution for the development of the Railway car park could be ring-fenced for that purpose. Officers confirmed that it could;
- Councillor Stebbing commented that the provision of the temporary access is to be commended as a rapid response following the request by members on the site inspection;

- Councillor Connor commented that he is the Cambridgeshire County Council member representing Manea and the attitude of the applicant to contribute £170,000 should be applauded and it would make a lot of difference to the development;
- Councillor Quince asked if any information had been received from Anglian Water. Officers confirmed that no response had been received from Anglian Water within the consultation period. Councillor Quince raised concerns as to whether the sewage station would be able to cope with the increase in housing. Officers confirmed that a condition could be imposed regarding surface water and drainage, Anglian Water would be ultimately responsible for the connection to sewers and this would be dealt with under other legislation;
- Councillor Patrick raised concerns that this is another application which does not provide affordable housing. Councillor Miscandlon pointed out that the applicant is providing £170,000 of S106 contributions to mitigate the loss of affordable housing. Councillor Patrick made reference to the 10% threshold being exceeded in Manea and asked what figure this provides in Manea in excess of 10%. Officers confirmed that 10% is 83 dwellings, if this application were to be approved there would be 134 approvals, meaning that the threshold would be exceeded being the difference between 134 and 83.

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

Granted, subject to the conditions reported.

(All members present declared a Non-Pecuniary interest in this application, by virtue of the site being in the ownership of a fellow Councillor)

P66/13 **F/YR13/0217/F**
MURROW - LAND FRONTING BACK ROAD AND
49 FRONT ROAD, REMOVAL OF CONDITION 14 OF PLANNING PERMISSION
F/YR10/0631/F (ERECTION OF 10 X 3-BED SEMI-DETACHED HOUSES WITH
ASSOCIATED GARAGES, PARKING AND VEHICULAR ACCESSES INVOLVING
DEMOLITION OF EXISTING DWELLING) IN RELATION TO THE CONSTRUCTION
OF FOOTPATHS

Members considered letters of objection.

Officers informed members that:

- Councillor Booth has requested that his full call-in reason is included in the update. The reason for call-in was as follows:

"Having reviewed the application, I am concerned that they are proposing to not install any pavement. I accept that there is a pavement on the opposite side of the road at Front Road, however there is no pavement on Back Road, which I consider is essential for this development. If the application is likely to proceed on the basis that the Condition is removed in its entirety then I would like to call the application into Planning Committee as I have concerns regarding highway safety for Back Road."

- No response has been received from North Level IDB.

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 common sense application and agreed that the previous footpath proposals were not the best, acknowledging that there are crossing points where needed for pushchairs and wheelchairs on Front Road and stated that it is not possible to provide a footpath on Back Road.

He pointed out that the provision of a passing bay is more advantageous on Back Road, a path would serve no purpose and go nowhere. Mr Humphrey stated that following discussions with the Local Highway Authority the provision of a passing bay is the best solution for this site.

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

Granted, subject to the conditions reported.

**P67/13 F/YR13/0320/F
WISBECH - 39 KIRKGATE STREET, EXPANSION OF CHILDCARE FACILITY
INVOLVING AN INCREASE IN HOURS OF OPERATION, AN INCREASE IN
CHILDREN NUMBERS/AGE RANGES AND A CHANGE OF USE OF STORE
ROOM TO FORM ADDITIONAL ACCOMMODATION**

Members considered one letter 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:

- Wisbech Town Council comments stand and their members welcome the increased service provision;
- Condition 2 be amended in relation to the intensification of use in terms of hours being restricted for a period of 12 months, rather than the conversion which will remain in perpetuity, meaning that intensification would be the only element to be revisited.

Members received a presentation, in accordance with the public participation procedure, from Mr Broker, the applicant's agent. Mr Broker asked officers if the condition was necessary, pointing out that this is a successful business, providing an essential service in this part of Wisbech. He pointed out that children are properly supervised, the business was set up 3-4 years ago and demand has grown. Mr Broker stated that the Local Highway Authority have considered parking and turning on the site and admit that it works and there are no problems and commented that the time conditions have serious implications with regard to funding, imposing a 12 month condition would have implications on funding as it may be considered to be a temporary business. Mr Broker asked members to consider if the condition is necessary as all proof shows that the business is acceptable in its current location.

Mr Broker stated that he is pleased the application is recommended for approval and asked if the condition for the details of a cycle rack to be provided prior to commencement is necessary, commenting that if the applicant has to wait for the application to return to committee it would take a further 8 weeks. He asked if the condition could be for the applicant to provide details of the cycle rack prior to occupation. Officers pointed out that the discharge condition would not require the scheme to come back to committee.

Councillor Stebbing asked Mr Broker if there was any way to soundproof the fencing between the play area and the neighbour. He also asked if the village hall withdrew their consent of parking at the village hall would it affect the highway position. Mr Broker confirmed that the fencing could be reinforced with further boarding, the original fencing was not good and is in the ownership of the adjoining property. He confirmed that withdrawal of permission to park by the village hall would not dramatically influence traffic as the car park is not greatly used, attendees are generally using roadside parking. Councillor Stebbing raised concerns that changing the age range to 12 years would increase noise levels.

Councillor Connor asked what the cost would be for the plans to come to fruition. Mr Broker confirmed that it would cost £30,000 at the moment.

Councillor Murphy asked if £30,000 would be the cost for the one years temporary permission and if there are changes to permission in a years time are the applicants likely to spend £30,000 making the proposed changes. Councillor Broker confirmed that the applicants are conscientious with the business they are running and other funding would assist.

Councillor Bucknor commented that he shared Councillor Stebbing's concerns regarding noise and requested that the neighbours are asked who owns the fence in question. Mr Broker agreed that this would be done.

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

- Councillor Patrick commented that a one year condition would be restrictive and stop the development and requested that the condition be removed completely;
- Councillor Mrs Mayor commented that the increase in numbers is more than 50% and raised concerns regarding the increase in age of children to 12 years, pointing out that they will make far more noise than younger children. Councillor Mrs Mayor requested that the ownership of the fence be investigated and requested that the age limit was not raised to 12 years of age. Councillor Miscandlon and officers suggested that members should determine the application on the basis as submitted and pointed out the option to defer if necessary;
- Councillor Cornwell commented that there is a need for the business pointing out that there seems to be a location problem as the neighbouring property is exceedingly close and it is important that details are clarified before a decision is made and he would be happy for the application to be deferred until further consideration has been given to all involved;
- Councillor Connor commented that a compromise is required, pointing out that Fenland is Open for Business and a one year condition and costs of £30,000 are a big investment and asked if it was possible for the condition to be changed to two years. Officers responded that the consent may as well be permanent as the one year condition is to test how the business progresses during that time, the alternative would be to ask for approval of the fencing prior to commencement;
- Councillor Mrs Newell commented that there is a need for this type of employment to look after young children for parents who work and want somewhere secure for children. She commented that children up to 12 years of age is not unreasonable and she would support the proposal without the 12 month condition. Councillor Mrs Newell confirmed her sympathy with the neighbours but pointed out that the business is closed on weekends and bank holidays and does not interfere with their enjoyment of their garden. She commented that the Council is Open for Business and she supports the application;
- Councillor Patrick commented that he supports Councillor Mrs Newell's comments;
- Councillor Bucknor raised concerns regarding the problem with noise insulation and requested that this be addressed before going forward. He commented that he agrees with Councillor Cornwell, the business is good and he wants them to succeed subject to the noise issues being addressed first;

- Councillor Miscandlon commented that the noise issues are a concern and he is sure that the operators of the business do not wish to disturb their near neighbours, however he understands that the problem could get worse and this needs to be mitigated prior to agreement. Councillor Miscandlon suggested that the application could be deferred to allow the developer to discuss mitigating measures with the neighbour and the applicant as noise issues for the neighbours are a cause for concern.

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

Defer, to allow the Agent to take steps with the applicant and the neighbour to mitigate concerns regarding noise issues.

Members do not support officers recommendation of Grant of planning permission as they feel that the proposal requires further discussion with neighbours and the applicant to mitigate noise concerns.

(Councillors Bucknor and Patrick stated that they are Members of Wisbech Town Council, but take no part in planning matters)

(Councillor Sutton declared a Non-Pecuniary interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in the discussion and voting thereon)

P68/13 **F/YR13/0360/O**
WHITTLESEY - LAND NORTH WEST OF 162 COATES ROAD COATES,
ERECTION OF 12NO DWELLINGS (MAX)

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:

- Cambridgeshire County Council (CCC) have advised of their Section 106 requirements:
 - the site is within the catchment area of Coates Primary School which has sufficient capacity and therefore no primary education contribution is required;
 - there is no financial contribution required for pre-school need;
 - a secondary education contribution is required in line with Fenland's SPG;
 - in accordance with the CCC RECAP SPD a contribution of £79.44 will be required for waste.

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

- Councillor Cornwell expressed concern regarding the layout, pointing out that part of Coates Road is occupied by sizeable dwellings, mostly detached and he did not like terraced properties overlooking the road as it detracts from the main part of the village;
- Councillor Stebbing commented on the size of the site and the provision of 4 affordable dwellings within the development. Officers advised that this is an indicative scheme, if members consider that a terrace is not appropriate on the site this can be considered at the detailed stage;
- Councillor Cornwell commented that decisions have been taken on gateway sites and requested a better standard of dwelling leading into residential areas and he believes this is relevant in this instance;

- Councillor Mrs Mayor pointed out that the development abuts the built up area of Coates and not Eastrea as stated in the report;
- Councillor Cornwell commented on the need for more detailed plans for the development at a future meeting. Councillor Miscandlon responded that various sections of the village had old farm cottages and this development is aiming to mimic the farm cottage scenario which was prevalent years ago;
- Councillor Quince asked if there is a building line along this road as this development appears to be in front of the building line. Officers confirmed that cottages currently exist on the A605 both forward and back in the Coates Road area and confirmed that there is no regimented line of development and this development would provide variety in the streetscene;
- Councillor Sutton commented that he has no problem with the design but feels that the parking should be arranged behind the properties, not on the roadside. He confirmed that he supported the outline application and would need to consider further at the detail stage. Officers confirmed that they would feed comments back to the applicant, pointing out that this is an indicative scheme and members will be able to comment on the detail of the scheme at the reserved matters stage;
- Councillor Mrs Mayor commented that 168 Coates Road is a very old property and the rest all much newer properties and pointed out that there is a building line on the other side of the road.

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

Granted, subject to the deletion of Condition 6 relating to Illustrative Scheme A, the condition to reflect the access not the dwellings.

(Councillors Mrs Mayor and Stebbing stated that they are Members of Whittlesey Town Council, but take no part in planning matters)

(Councillor Miscandlon declared a Non-Pecuniary Interest in this application, by virtue of him knowing the applicant)

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

(Councillor Mrs Mayor declared a Non-Pecuniary Interest in this application, by virtue of knowing the family who have a business in Whittlesey which she uses)

P69/13

F/YR13/0438/F

PARSON DROVE - PLOT 4 LAND EAST OF THE COTTAGE, 259 MAIN ROAD, CHURCH END, ERECTION 2-STOREY 4-BED DWELLING WITH DETACHED DOUBLE GARAGE, AND SITING OF TEMPORARY STATIC CARAVAN

Officers informed members that:

- the recommendation is to Grant the application with the following additional condition:
 - within 4 weeks of the first occupation of the dwelling hereby approved, or within 18 months from the date of this decision (whichever is sooner), the temporary caravan accommodation as shown on drawing number 1692 received on 17 June 2013 shall be removed from the site in its entirety and the land shall be encompassed within the garden area serving the dwelling;
 - Reason - the stationing of a mobile caravan is considered to be a temporary use in order to allow the development of the site hereby approved and as such cannot be regarded as a permanent development as it would conflict with other policies of the Development Plan.

Members received a presentation, in accordance with the public participation procedure, from Mr Broker, the applicant's agent. Mr Broker stated that the application had missed its slot at the last committee meeting and the applicant had been waiting for 13 weeks. He pointed out that two conditions are prior to occupation, he has been asked to amend soft and hard landscaping and construction of access to be levelled and surface water drained for parking and asked if this could be changed to read "to be confirmed prior to occupation" as this would enable his client to get on with building work. Officers confirmed that a three month condition within date of approval could be given prior to occupation. Mr Broker confirmed that this condition is ideal.

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

- Councillor Cornwell asked if conditions granted on a previous application could be changed. Councillor Miscandlon agreed that the conditions could have been dealt with at an earlier stage and not at this meeting.

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

Granted, subject to the additional condition.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in discussion and voting thereon)

P70/13 F/YR13/0439/O
LEVERINGTON - LAND WEST OF 116 - 124 SUTTON ROAD, ERECTION OF 4NO DWELLINGS

Members considered letters of support.

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

Officers informed members that:

- Consultation response has been received from North Level IDB stating that they have no comments to make;
- no consultation response has been received from EDF Energy.

Members received a presentation, in accordance with the public participation procedure, from Mr Swann, the applicant's agent. Mr Swann stated that he was the applicant's agent and thanked members for the opportunity to speak. He pointed out that details regarding landscaping and scale would be provided at the reserved matters stage. Mr Swann stated that the proposal is close to the development boundary, near an existing brown and 40mph signs and pointed out that an application at nearby Ringers Lane was approved at the last Planning Committee meeting. He pointed out that services are close by, it is adjacent to a public footpath opposite linking to all services and facilities. In answer to it being ribbon development he commented that it is complimentary to the form and character of the area and there is a residential caravan site opposite. He commented that the hedge forms a natural boundary, it is identical to a previous approval and many others and extends the built up form.

Mr Swann stated that this is an outline proposal and if members were to approve it would give planning officers the steer to design the entrance into Wisbech, there is no loss of agricultural land, there are tall trees and the land is not productive.

He pointed out that a Flood Risk Assessment has been carried out and approved subject to levels being raised as required and it would create an iconic entrance into Wisbech. He commented that there are dwellings opposite the site and the application is supported by local businesses and neighbours.

- Councillor Stebbing asked where the tall trees are situated. Mr Swann confirmed that the trees are on commercial premises.

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

- Councillor Stebbing commented that he would not be happy approving the application, the commercial building will project forward and the dwellings would look odd rather than fit in;
- Councillor Bucknor commented that he agreed with Councillor Stebbing and would not support the application.

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

Refused for the following reasons:

- 1. the proposed site is located outside the existing developed footprint of the settlement and would be contrary to Policy H3 of the Fenland District Wide Local Plan 1993, and Policy CS12 of the emerging Fenland Local Plan - Core Strategy (February 2013);**
- 2. in terms of the sustainability of the location the proposed site is poor, particularly in terms of distance from the town centre and the proximity to other local and community facilities and service. Therefore, the proposal is contrary to the overall spatial strategy for sustainable growth as set out in the emerging Fenland Local Plan - Core Strategy (February 2013);**
- 3. the proposal by virtue of its location and layout would result in ribbon development contrary to Policy CS12 of the emerging Fenland Local Plan - Core Strategy (February 2013);**
- 4. the proposed development by virtue of its location, form and layout would not make a positive contribution to the local distinctiveness and character of the area or enhance its setting contrary to Policy CS16 of the emerging Fenland Local Plan - Core Strategy (February 2013);**

5. no evidence has been put forward to justify the loss of Grade 1 Agricultural Land and therefore the proposal is contrary to Policy CS12 of the emerging Fenland Local Plan - Core Strategy (February 2013) and the NPPF;
6. the site is located within Flood Zone 2 and 3. The proposal is considered to have failed to demonstrate the acceptability of locating housing development on this site in sequential terms when compared to other sites in the district which have a lower probability of flooding and it has not been demonstrated that the proposal meets an identified need. Therefore, the proposal is considered to be contrary to Policy CS14 Part B of the emerging Fenland Local Plan - Core Strategy (February 2013) and the NPPF.

Members took a 15 minute refreshment break following determination of this application.

P71/13 **F/YR13/0452/F**
MARCH - THE OLD DAIRY BUILDINGS
GRANGE ROAD, ERECTION OF 2NO LIGHT INDUSTRIAL UNITS, 2NO 5-BED 2-
STOREY DWELLINGS AND 2NO DETACHED DOUBLE GARAGES, INVOLVING
THE DEMOLITION OF EXISTING BUILDINGS

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:

- revised plans were received by letter on 28 August 2013 following comments raised by the Highway Authority. The Highway Authority has reviewed the amendments and confirms that the proposal is acceptable from a highway point of view subject to conditions previously recommended;
- an additional letter was received by the agent after the committee report was written providing further justification for the development proposal in line with the NPPF and the Core Strategy together with the following:
 - a letter from an Estate Agent;
 - correspondence between the agent and Police Architectural Liaison Officer;
 - photographs of the site from different view points and
 - a letter of interest from a potential occupier;
 - it is noted that some of the above documents were circulated to members prior to the meeting;
- the correlation of workplace homes to B1 and B8 use would not be met by this proposal;
- no interest has been shown in previous consents regarding conversion of this site and the site has deteriorated further;
- the proposal is not in line with NPPF CS9 and there are other areas on the eastern side of the bypass available with good connectivity;
- the proposal is contrary to EMP4 of the Local Plan, not permitting development in the open countryside.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Mrs French, District Councillor. Councillor Mrs French stated that this is a brownfield site and the current building is uneconomical to restore and questioned the reason for objecting to the proposal, pointing out that the crematorium is a day to day business and she cannot see how it will impact the crematorium as there is a field in between and there would be no overlooking and B1 opening hours condition is possible.

Councillor Mrs French stated the proposal is in the open countryside and so is the crematorium, by approving the crematorium a precedent has been set and asked members to take into account what has already been approved and commented that they had been inconsistent in that respect. Councillor Mrs French made reference to the Fenland Economic Development Strategy 2012-2031 being a living document and business should be nurtured encouraging them to start, stay and grow in Fenland. Paragraphs within the document support business growth, promotes being Open for Business and new jobs for the benefit of all. She asked members to take note of the document and approve the application.

Members received a presentation, in accordance with the public participation procedure, from Mr Brand, the applicant's agent. Mr Brand thanked the Chairman and Members for the opportunity to speak on behalf of his clients application. Mr Brand pointed out that 60% of the application has permission for 3 industrial units granted in 2008 with an extension of time application expiring in March. The additional land shown forms part of the original 1994 approval for a dairy distribution centre. He stated that all the land in his clients ownership is included in the application to show there will be no further development.

Mr Brand informed members that they have the opportunity to secure a better aesthetic design solution for the site since the crematorium has been built, which reduces the industrial impact from 3 units to 2 units before his client implements the existing permission to avoid it expiring on the land. Aspects such as a single site access point and intensive landscaping have been followed through from the approved application.

Mr Brand stated that his client has carried out market research through local and regional estate agents before approaching him to prepare the application which found there is a shortage of workplace homes, or those available are of insufficient size for those wanting to expand still being able to live and work on site. Security is a major concern for most small businesses as theft of tools and machinery cause delays in orders while replacements are obtained with increased insurance premiums adding extra cost to the business. He stated that this is the reason why his client wants workplace homes instead of the 3 lock up industrial units to guarantee the units sell.

Mr Brand referred to the officers report classing this application as speculative as no end user for each unit is known. He pointed out that members have approved in his presence in the past many multi unit industrial and retail park developments with no end users known. He asked if all the Council units at South Fens Business Centre and the Boathouse were all let prior to gaining planning approval, or was it speculative.

Mr Brand stated that the old Local Plan had a specific policy EMP5 relating to workplace homes, pointing out that the submission version of the Core Strategy contains no specific policy despite the national planning policy framework stating under point 6 of paragraph 21 that flexible working practices such as the integration of residential and commercial uses within the same unit should be facilitated in the new development plans.

Mr Brand referred to the relevant sections of Core Strategy policies CS6 and CS9 and stated the ones that the application complies with:

1. the site already has industrial permission on a brownfield site;
2. on the edge of March it is well related to the existing Knights End Road DAB and future March West strategic growth area;
3. the proposed development is minor in scale to the March settlement;
4. compared with the crematorium application where transport links were waived, this application is minor in vehicle movements and NPPF paragraph 21 says lack of infrastructure should not be a reason for refusal;
5. access is good from the A141 and the latest application details submitted meet the highway officers requirements. The site is in flood zone 1 and Middle Level Commissioners have agreed the principles for the final surface water design to clear the approval condition they request;
6. no natural or heritage assets are affected;
7. no impact on the natural open Fenland landscape character as the site is already enclosed by natural hedging, Gault Wood, the crematorium and earth banking;
8. public utility services are all available except foul drainage which will be to private sewage treatment plans;
9. the site is already in the clients ownership and will be constructed next year once all conditions have been discharged and building regulation permission obtained if approved.

Mr Brand pointed out that the proposal is based on a range of farm buildings with the old farmhouse at the junction of Burrowmoor Road being the basis for the proposal. A formal field boundary landscaping proposal similar to the existing approval gives the maximum privacy to the crematorium in conjunction with the new landscaping along their eastern boundary.

Mr Brand requested, on behalf of his client, the support of members and that they approve the application and thanked them for listening to his presentation.

Councillor Murphy asked Mr Brand which would be built first, the industrial units or houses. Mr Brand confirmed that all would be built at the same time, the groundworks would all be carried out at the same time for everything.

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

- Councillor Quince commented that he would like to see this application approved, he pointed out that there is a farm and a builders yard nearby, March has a lack of industrial buildings and this development will serve this and will clear up the site;
- Councillor Murphy asked officers if there is a workplace homes policy. Officers confirmed that the Workplace Homes Policy was deleted in 2007 and there is no policy to support workplace homes;
- Councillor Connor stated that the site looks a mess, we are 'Open for Business' and with the right screening and conditions on working times he commented that he was uncertain regarding what the outcome of the decision should be at this time. Officers responded that there is extant permission on existing buildings and structural evidence would be required on a conversion for refurbishment not rebuilding. Approaches from potential occupiers show that homes are wanted but not that the workplace unit would be unsuitable in Use Class terms, conditions cannot insist that a business is operated, leading to purchase but the workplace not being run. Members have been supportive of occupiers with a business plan and there is a framework in place, with earlier decisions having been made in accordance with current policies;
- Councillor Stebbing commented that the extant permission is still there. Officers confirmed that the building needs to be structurally capable of conversion etc. to be converted there has to be an element of the building remaining;

- Councillor Mrs Newell asked how three industrial units would fit on the site. Officers confirmed that if conditions were complied with they could be built tomorrow;
- Councillor Cornwell commented that the site is outside the development boundary and there is not a shortage of this sort of unit at the moment;
- Councillor Mrs Mayor referred to the site visit where she had agreed with officers, but having read the report she may have changed her mind, stating that the only problem she had with the development is that she would like to see the residential units in keeping with the industrial units as single-storey units, as she feels that this would be more sympathetic with the crematorium than huge houses and in principle would approve this application;
- Councillor Connor commented that having listened to members, March Town Council approve the application and the Council is Open for Business he was minded to go against officers recommendations on this occasion;
- Councillor Bucknor suggested that part of the problem is the description 'workplace homes' this should be negated as just houses, the development is in the open countryside and he does not like this idea, however he does support the industrial units and would abstain from voting for this reason;
- Councillor Stebbing commented that he supported Councillor Mrs Mayor regarding the size of properties being single-storey, pointing out that the Golf Club and Crematorium are both single-storey and would find this development more acceptable in that light;
- the Legal Officer advised members that if they feel that two storey properties are not appropriate, the application could be refused to allow the applicant to put forward another application;
- Councillor Cornwell commented that in the past a business case to justify property in the open countryside would be expected and suggested that premise should be adhered to and the application be revisited when a business case can be justified for a residence on the same site and he was mindful to support officers recommendations. Councillor Miscandlon pointed out that this is not an existing business;
- Officers stated that previous cases have provided justification for a dwelling in the open countryside, this application does not have an end use, as an alternative scenario members could approve on the basis of Open for Business and the Fenland Economic Strategy, groundworks could go ahead, demand and take up in terms of industrial units could be explored and 12 months down the line the developer could seek to remove the conditions attached to the use of the single-storey buildings;
- Councillor Sutton stated that he did not agree that single-storey dwellings were required as they are so far away from other developments that overlooking is not an issue and commented that he was struggling to make a decision and was mindful to go against officers recommendations;
- Councillor Patrick pointed out that this is a brownfield site, is untidy, this would be a good use for it and tidies up the area.

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

Granted, subject to the following conditions:

1. **Start date;**
2. **Materials;**
3. **Restriction of B1 use;**
4. **Turning area laid out;**
5. **No gates across approved access;**
6. **Temporary facilities for parking, turning and unloading;**
7. **Vehicle crossing;**
8. **Visibility splays;**
9. **Contaminated Land;**
10. **Vegetation clearance;**

11. **Biodiversity;**
12. **Surface water drainage.**

Members do not support officers recommendations of Refusal of planning permission as they feel that the site has current planning permission, is a brownfield site, the development will tidy up the site, the Council is Open for Business and encourages employment use on redundant sites.

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

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

P72/13 **F/YR13/0466/F**
NEWTON - LAND WEST OF 1B-17 COLVILE ROAD, ERECTION OF 12 X 2-STOREY AND SINGLE-STOREY DWELLINGS COMPRISING OF 10 X 2-BED AND 2 X 3-BED DWELLINGS

Members considered letters of objection.

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

Officers informed members that:

- the description of the development in the report is incorrect and should read 'Erection of 12 x 2-storey dwellings comprising of 10 x 2-bed and 2 x 3-bed dwellings with associated sheds.' The dwellings shown on Plots 1-4 have a bedroom in the roof space;
- the site layout plan has been amended to comply with the Highway requirements. This has been assessed by the Local Highways Authority who confirm that the proposal is now acceptable from a highways point of view and request the following conditions:
 - prior to the first occupation of any dwelling the roads and footways within the public highway shall be laid out in accordance with the approved plan and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the LPA; Reason - in the interest of highway safety and to ensure satisfactory access into the site;
 - prior to the first occupation of any dwelling the roads and footways shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority; Reason - in the interest of highway safety and to ensure satisfactory access into the site;
 - 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 in accordance with a detailed scheme to be submitted to and approved in writing by the LPA; Reason - in the interests of highway safety;
 - prior to the first occupation of the development the proposed on-site turning and parking areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with a detailed scheme to be submitted to and approved in writing by the LPA, and such areas shall thereafter be retained for that specific use; Reason - to ensure the permanent availability of the parking and manoeuvring area, in the interests of highway safety;
 - further comments from the Environment Agency have not yet been received.

Members received a presentation, in accordance with the public participation procedure, from Ms Coulson, speaking on behalf of the applicant. Ms Coulson stated that Cambridgeshire Acre have identified affordable housing in its Housing Needs Survey. She pointed out that this site can deliver 12 units of affordable housing and confirmed that funding has been secured for all 12 to start on site at the end of 2013, to be completed Autumn 2014. As an example Ms Coulson reported that a two bed property had received 40 bids for occupation. Occupancy of the properties will require occupiers to have a local connection to Newton.

Councillor Miscandlon asked Ms Coulson how robust was the policy for occupants to be from the local area. Ms Coulson responded that policy states that the properties must be occupied by people who live or have family living in the village, work in the local area and surrounding parishes and villages, this is standard policy to all Roddons exception sites;

Councillor Sutton asked for clarification regarding the bidding process for Roddons properties. Ms Coulson confirmed that vacant properties are advertised on Homelink where residents can bid for suitable properties which are allocated, with priority being given to people with local connections to these properties. The Homelink system is a system to allocate properties across Fenland, rents are set and residents bid on them to register their interest in a particular property, allocated on a housing and needs basis.;

Councillor Mrs Newell asked if choice based lettings are open across the whole sub region. Ms Coulson confirmed that the S106 assures properties are let to people with a local connection;

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

- Councillor Sutton commented on elevations of the properties and that members want to see better designed properties and could this comment be taken back to Roddons. Councillor Miscandlon agreed that they do need to consider a better design and confirmed that this has previously been passed to Roddons.

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

Granted, subject to the conditions reported and additional conditions proposed by the Local Highways Authority.

(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)

**P73/13 F/YR13/0473/RM
WHITTLESEY - LAND AT BASSENHALLY FARM
EASTREA ROAD, ERECTION OF 120 X 2-STOREY DWELLINGS COMPRISING; 3
X 2-BED FLATS, 5 X 2-BED, 87 X 3-BED, 22 X 4-BED, 3 X 5-BED WITH
ASSOCIATED GARAGES AND LANDSCAPING**

Members considered a 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.

Officers informed members that:

- no comments have been received from the Police Architectural Liaison Officer;
- the Arboricultural Officer regrets the loss of a section of mature hedge but agrees with the comments in the arboricultural report regarding the replanting to mitigate the loss. The removal of other trees is accepted due to their condition and general value. The planting proposals are generally acceptable but would prefer some trees of greater prominence on the south boundary. Whilst Amelanchier are an attractive tree, this is a boundary on a main road and would benefit from a larger species;
- Cambridgeshire County Council Highways have commented that the revised plan is generally acceptable, however suggest the following conditions:
 - the submission of details relating to streetscape including planting/defining parking areas, bollards and lighting;
 - at outline stage there was an in principle agreement from Stagecoach to re-route the 33 Service through the site, where the master plan provides for the link to Drybread Road to the west and north, so the link between plots 1 and 12 should be suitable for buses, with carriageway width of minimum 6.1m. The layout would also require bus stops and raised kerbs;
 - notwithstanding the submitted details relating to the highway a plan showing streetscape details, to include "street tree" planting, bollards, parking and lighting, within the defined squares shall be submitted to and approved by the LPA prior to the commencement of development. The approved scheme shall be completed prior to the occupation/use of any dwelling and retained thereafter in perpetuity;
 - notwithstanding the submitted details relating to the highway a plan showing the link between plots 1 and 2 to be suitable for the accommodation of bus traffic, to include a minimum carriageway width of 6.1m, bus stops and raised kerbs, shall be submitted to and approved by the LPA prior to the commencement of development.

Members received a presentation, in accordance with the public participation procedure, from Mr Slater, on behalf of the applicant Larkfleet Homes. Mr Slater thanked officers for their support at outline, preapplication and reserved matters stage. Mr Slater endorsed the report and the verbal update. He informed members that this is Phase 1 of the reserved matters stage and other phases will be addressed in further reserved matters. He informed members that drainage solutions are being designed and are compatible with the layout of the Illustrative Masterplan before members at this meeting. Mr Slater thanked members for their time and attention.

Councillor Cornwell made reference to the design and asked Mr Slater if the design could be described as innovative or exciting or just bog standard. Mr Slater responded that Larkfleet Homes are proud of their designs and confirmed that they are considered to be higher than bog standard and the materials they use are of quality standard. Councillor Cornwell asked if the roundabout on Eastrea Road is to be built before building work starts. Mr Slater confirmed that it will be built in advance, it has been checked by officers and works will be completed prior to first occupation.

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

- Councillor Mrs Newell asked if any comments had been received from the Police Architectural Liaison Officer. Officers confirmed that no comments have been received from them and remain as per the update;
- Councillor Connor raised concerns that the decision had been pushed in the early part of the year regarding the roundabout and asked when Larkfleet envisaged building will start on Phase 1 of this development. Mr Slater confirmed that building work will begin after the roundabout is in place and conditions are discharged;

- Councillor Quince raised concerns that Anglian Water have made no comments and thought they would have commented due to the number of houses involved. Officers explained that the conditions would be on the original outline application in agreement with Anglian Water in terms of the process. Anglian Water are aware of the development and have not raised any objections to date;
- Councillor Connor commented that he could see no mention of any doctors surgery, there are 400 residents involved in the First Phase and asked if this had been taken into consideration. Officers advised that members were straying from what needs to be considered as healthcare provision cannot be revisited at this point;
- Councillor Cornwell asked when the master plan was approved. Officers confirmed that the master plan was approved in December 2010.

Proposed by Councillor Patrick seconded by Councillor Sutton 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 of 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 Mayor and Stebbing stated that they are members of Whittlesey Town Council, but take no part in planning matters)

P74/13 **F/YR13/0481/EXTIME**
MURROW - LAND NORTH OF 69-79 BACK ROAD, ERECTION OF 3 DWELLINGS
(RENEWAL OF PLANNING PERMISSION F/YR10/0200/O)

Members considered a letter of objection.

Officers informed members that:

- one further letter of objection has been received from the neighbour. This reiterates comments made in their previous letter of objection and concerns:
 - two properties are already under construction leaving one to build. Concerns over this application clearing the way for a further three properties;
 - Back Road is failing in many areas due to construction traffic. It is substandard width and of a very poor construction. When granting permissions consultations with the Highways Authority must take place. It is apparent that this does not happen when granting permissions along Back Road;
 - the Council has been a little remiss in ensuring that adequate measures are taken to lessen the effect of new development on existing residences;
 - Environmental Statements have been wholly fictitious and adherence to clauses and conditions are ignored by the developer;
 - Back Road is a mess and granting further permissions will worsen this;
 - construction rubbish is burnt on site without a licence and construction traffic parks on verges along Back Road.

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 typical self build development, previously granted in 2010. Two of the plots have been developed, this extension of time is requested for the remaining single infill plot. Mr Humphrey informed members that it is being considered by them due to refusal by the Parish Council.

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

- Councillor Cornwell commented that members should take note of comments from the Parish Council;
- Councillor Connor commented that it has planning permission and building has just picked up and this plot should be developed.

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

Granted, subject to the conditions reported.

P75/13

F/YR13/0499/F

TYDD ST GILES - THE OLD POST OFFICE, CHURCH LANE, ERECTION OF 1X 4-BED AND 2 X 3-BED 2NO STOREY DWELLINGS AND DOUBLE CAR PORT, INVOLVING THE DEMOLITION OF THE OLD POST OFFICE AND KAUNIKUILA

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 has submitted further information in relation to the potential contaminated land survey required. The Environmental Protection Team have assessed the submitted information and comment as follows
 - "given the fact that the existing building is to be removed I would assume that in the location of the proposed gardens the existing ground will be stripped and covered upon completion with imported clean topsoil. Once this has taken place and information of the depth and analysis of the imported soil has been provided then the condition can be discharged";
- the Ancient Monuments Society have responded and have no comments to make in relation to the proposal;
- Cambridgeshire County Council Archaeology have responded advising that
 - this development location is immediately south of the church wall in the centre of the early medieval village of Tydd St Giles, where small excavation works for a new sewer pipe conducted in the road opposite the development area in 2002 demonstrated the presence of domestic occupation deposits - unsurprisingly given the location around the focal point of settlements of this period;
 - demolition works are destructive to archaeological evidence and we regard that the redevelopment of the plot should be subject to archaeological control, to enable the recording of remaining archaeological evidence prior to the construction works for the three new houses and associated works;

- we consider that the site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition such as the model condition 'number 55' contained in DoE Planning Circular 11/95:
 - no development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Members received a presentation, in accordance with the public participation procedure, from Mr Broker, the applicant's agent. Mr Broker stated that he had a dialogue with planning officers, the site previously housed three dwellings which were destroyed by fire three years ago. He informed members that the properties cannot be repaired, two cottages have been demolished, there is planning permission to replace them. Mr Broker raised concerns that the CCC Archaeological department have made a request at the last hour for an archaeological investigation and pointed out that they have had 16 weeks to request this.

He confirmed that there is currently planning permission for a pair of semis to develop three quarters of the site and asked officers if this was acceptable and a reasonable request from CCC Archaeology at such short notice. Officers confirmed that the archaeological request was made on 13 September and agreed that this in light of the earlier consent it would appear unreasonable to request such a condition.

Councillor Mrs Mayor asked Mr Broker for clarification regarding access to the side/rear of the property as this had caused confusion on the site visit. Mr Broker confirmed that there is a right of way over the driveway to the rear gardens which belongs to the adjacent cottage to the south, The Chestnuts, it is a private access to that property and the two new properties.

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

- Councillor Cornwell commented that on the site visit it was noticed that this is a very small site for three properties and asked if the amenity land proposed complies with Council requirements. Officers confirmed that there is no minimum requirement for amenity land, although there is guidance in the Core Strategy. It was further noted that there has been extensive preapplication discussion taking into account the existing form, character and history of the site. Councillor Cornwell responded that he was considering the amenity view of those living in the completed dwellings and considered this to be over intensification of the site and confirmed that he could not support the proposals;
- Councillor Connor raised concerns that this could have been a delegated decision and agreed with Councillor Cornwell's comments;
- Councillor Mrs Newell asked if a response had been received from the Parish Council. Officers confirmed that no response had been received from the Parish Council at the time of writing the report;
- Councillor Stebbing commented that on the site inspection there appeared to be inspection chambers along the driveway and remnants of a well. Mr Broker confirmed that there is a rainwater cistern and sewer manholes from the previous dwellings on the site;
- Councillor Patrick asked if the original permission was for two dwellings and the refurbishment of the Post Office. Officers confirmed this.

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

Refused.

Members do not support officers recommendations of Grant of planning permission as they feel that the development would be over intensification of 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 took no part in the discussion and voting thereon)

**P76/13 F/YR13/0510/F
WIMBLINGTON - 32 EASTWOOD END, ERECTION OF 2-STOREY SIDE
EXTENSION TO EXISTING DWELLING**

Officers informed members that:

- Middle Level Commissioners (MLC) have provided advisory comments in relation to surface and foul water drainage. MLC are able to secure appropriate drainage measures under their own byelaws as well as through the Building Regulations process;
- the Location heading in the report should be '32 Eastwood End' not 2.

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

Granted, subject to the conditions reported.

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

**P77/13 F/YR13/0527/F
WISBECH - LAND NORTH EAST OF 3 CLARKES COTTAGES, NORTH BRINK,
ERECTION OF 2 STOREY 4-BED DWELLING AND DETACHED DOUBLE
GARAGE**

Members considered a letter of objection.

Members received a presentation, in accordance with the public participation procedure, from Mr Broker, the applicant's agent. Mr Broker informed members that the applicant, a small builder, purchased the land ten years ago. When the applicant purchased the site it had the benefit of planning permission, two new houses have been built to the north and this proposal is similar to those and the applicant did not realise that the planning permission may not be renewed. Mr Broker stated the flood risk was a paperwork exercise in the form of a map provided to the Environment Agency and that this application does not set a precedent and requested a favourable decision from members.

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

- Councillor Connor commented that the location is a long way from the village of Guyhirn, it was in Flood Zone 3 and he believes that officers recommendations are correct.

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

Refused for the following reasons:

1. **the proposal represents unjustified residential development within a countryside location, contrary to H3 of the Fenland District Wide Local Plan, CS3 and CS12 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 6 of the National Planning Policy Framework;**
2. **the development is located within Flood Zone 3 despite there being land available within the area of lower flood risk and the submitted flood risk assessment fails to adequately address the risks arising from the development. The application is therefore contrary to CS14 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 10 of the National Planning Policy Framework.**

(Councillors Bucknor and Patrick stated that they are Members of Wisbech Town Council, but take no part in planning matters)

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in the discussion and voting thereon)

**P78/13 F/YR13/0535/F
LEVERINGTON - 2 WAVERLEY GARDENS, CONVERSION OF DETACHED
DOUBLE GARAGE TO 1 BED ANNEXE ANCILLARY TO THE MAIN DWELLING**

Members considered a letter of concern.

Officers informed members that:

- no consultation response has been received from the Parish Council;
- no further comments have been received from local residents.

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

- Councillor Stebbing commented that he believes officers recommendations are correct and he supports the application;
- Councillor Murphy commented that this type of application should not be considered by Planning Committee and asked how this could be addressed. Councillor Miscandlon responded that he appreciated members concerns regarding these types of application. The Legal Officer informed members that it is a requirement by law to consider these types of application in this way at the present time. Councillor Miscandlon asked the Legal Officer to consider if there was another way forward.

Proposed by Councillor Stebbing, 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 took no part in the discussion and voting thereon)

**THOLOMAS DROVE - LAND EAST OF RAVENS FARM, PLASH DROVE,
ERECTION OF 1NO X 4 BED AND 1NO X 5 BED 2 STOREY DWELLINGS AND 2
DOUBLE DETACHED GARAGES**

Members considered a letter 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:

- Wisbech St Mary Parish Council have responded and their comments are: 'We support this development and recommend approval';
- due to the level of vegetation on the site it is considered appropriate to include the following conditions:
 1. all vegetation clearance at the site shall only take place outside the bird breeding season of March to September inclusive. If this is not possible, a nesting bird survey must be undertaken by an experienced ecologist 24-48 hours prior to clearance and the report submitted to the Local Planning Authority. Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of Planning Policy Statement 9, Biodiversity and Geological Conservation;
 2. prior to the commencement of development, a biodiversity mitigation and compensatory strategy incorporating the landscaping details shown on the approved plans and including details of a scheme for the provision of bat and bird boxes within the development site must be submitted to and approved in writing by the Local Planning authority. The biodiversity mitigation and compensation strategy must be implemented as approved. Reason - To secure biodiversity enhancement in line with National Planning Policy Framework, and the existing and emerging Local Plan Policies;
 3. prior to undertaking any surgery on, or the felling of any trees, a bat survey shall be carried out by a suitably qualified ecologist and the results submitted to the Local Planning Authority. If the presence of bats is established a mitigation scheme detailing how the work will be undertaken to minimise disturbance to bats shall also be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved scheme. Reason - To minimise disturbance to bats and ensure compliance with national and international legislation which protects them. In the UK all bat species and their places of rest or shelter are fully protected from damage and disturbance under the Wildlife and Countryside Act 1981 and annex IV of the EC Habitats Directive affected in the UK by the Conservation (Natural EC Habitats & c) Regulations 1994. Planning Policy Statement 9 - Biodiversity and Geological Conservation requires developers to minimise disturbance to protected species and incorporate suitable mitigation and enhancement into development.

Members received a presentation, in accordance with the public participation procedure, from Mr Swann, the applicant's agent. Mr Swann thanked members for the opportunity to speak. Mr Swann stated that the development overlooks open countryside and planning approval has been granted to the south west of this already.

He informed members that this proposal compliments the existing approval and the traditional detailing links to the rural nature of Tholomas Drove. Mr Swann confirmed that some trees will be felled on the advice of the Arboricultural Officer and this will allow other trees on the site to flourish as a result. He pointed out that the proposal provides natural surveillance over public open space and the village green and the dwellings will enrich village cohesion and is within walking distance of the bus route. Mr Swann asked members to approve the proposal.

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

- Councillor Connor commented that this is a good site and he agreed with officers recommendations.

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

Granted, subject to the conditions reported.

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

**P80/13 F/YR13/0546/F
TYDD GOTE - LAND NORTH EAST OF FRUIT COTTAGE, HANNATH ROAD,
ERECTION OF A 2-STOREY 3-BED DWELLING WITH ATTACHED GARAGE
INVOLVING THE FORMATION OF 2 X NEW ACCESSES**

Members considered representations 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.

Members received a presentation, in accordance with the public participation procedure, from Mr Williams, the applicant's agent. Mr Williams stated that there are two reasons given for refusal, the proposal is contrary to Policy CS3, he pointed out that the site is part of a residential garden and not in open countryside and secondly it is on the edge of the Flood Zone, he pointed out that the North Level IDB has installed flood defences close to the site. He stated that planners have asked for minor alterations, the Parish Council raise no objections, there are no objections from North Level IDB, there are two objections from residents, there are regular articulated deliveries and collections on this road and he stated that one more car is acceptable. He has met with the Local Highways Authority and all issues have been satisfied and asked members to treat this as a stand alone development.

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

- Councillor Mrs Newell asked if the Parish Council have made any comments, officers confirmed they had not;
- Councillor Mrs Mayor commented that Mr Williams had stated that the Parish Council had no objections and asked if any comments had been received from them. Officers confirmed that they had not received anything in writing from the Parish Council;
- Officers commented on Highways comments regarding this as a stand alone application and perhaps this is not enough reason to recommend refusal, however members should be mindful that something similar to the situation in Back Road, Murrow is not recommended;
- Councillor Sutton commented that officers have it right and he supported the officers recommendation.

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

Refused for the following reasons:

1. **the proposal represents unjustified residential development within a countryside location, contrary to H3 of the Fenland District Wide Local Plan, CS3 and CS12 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 6 of the National Planning Policy Framework;**
2. **the development is located within Flood Zone 3 despite there being land available within areas of lower flood risk. The application is therefore contrary to CS14 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 10 of the National Planning Policy Framework;**
3. **the local highway network and associated highway infrastructure is insufficient to support an additional dwelling in this location. As no improvement works have been proposed the development would increase risks to highway safety to the detriment of future occupants and the general public. The proposal is therefore contrary to E8 of the Fenland District Wide Local Plan, CS15 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 4 of the National Planning Policy Framework.**

(Councillor Patrick declared a Non-Pecuniary Interest in this application, by virtue of him being employed by the applicant for six years and purchasing his company, and retired from the meeting for the duration of the discussion and voting thereon)

**P81/13 F/YR13/0556/F
LEVERINGTON - 37 THE CHASE, ERECTION OF A SIDE EXTENSION WITH STORAGE OVER TO EXISTING DWELLING**

Officers informed members that:

- a consultation response has been received from North Level IDB to say that they have no comments to make;
- no comments have been received from local residents.

Mr Broker declined the opportunity to speak on this application.

Proposed by Councillor Patrick, seconded by Councillor Quince 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 took no part in the discussion and voting thereon)

**P82/13 F/YR13/0561/F
MARCH - LAND SOUTH OF 5 MILL HILL LANE, ERECTION OF 1 X 3-BED 2-STOREY DWELLING AND 1 X 4-BED 2-STOREY DWELLING WITH INTEGRAL DOUBLE GARAGES**

Members considered a letter of concern and objections.

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

Officers informed members that:

- since the committee report was written there has been correspondence between officers and Councillor Mrs French in respect of the proposal. Councillor Mrs French requested that the application is reported to Planning Committee for a decision due to the site being outside the development area boundary, the proposal being premature of the Core Strategy, setting a precedent and the access being unsuitable;
- an error has been highlighted within the committee report on page 195 of the Agenda in respect of the planning history relating to the site. The previous application F/YR12/0448/F was refused on 7 August 2012 not 2013;
- there have been several outstanding consultation responses received since the committee report was written and these are summarised:
 - the **Highway Authority** note that whilst there are reservations regarding the suitability of Mill Hill Lane to cater for further residential development by virtue of the irregular width, lack of footways and the absence of vehicle turning facilities, it is not considered that an objection on highway grounds to this limited form of development could be substantiated in the event of any subsequent appeal;
 - the metalled highway terminates approximately 10 metres north of the site, the remaining length to the site access comprising a compacted stone surface;
 - it is strongly recommended that if the Local Planning Authority is mindful to approve this form of development that the intervening unmade length of public byway is upgraded to Cambridgeshire County Council (CCC) specification;
 - on receipt of suitably amended details, the following conditions should be appended to any consent granted, summarised below:
 - no gates to be erected across the access;
 - prior to the first occupation of the development the vehicular access shall be laid out and constructed to provide a metalled, sealed surface for a length of 5 metres from the existing carriageway edge and shall include adequate drainage measures to prevent any surface water run-off to the adjoining public highway;
 - prior to the first occupation of the development the length of Mill Hill Lane between the existing metalled highway and up to and including the proposed development access shall be upgraded to CCC specification in accordance with a detailed engineering scheme;
 - prior to the commencement of the development, the vehicular crossings of the ditch along the frontage of the site shall be constructed in accordance with a scheme to be submitted to and agreed in writing with the LPA;
 - permanent space for parking and turning to be retained;
 - temporary facilities to 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, details of which shall be submitted for approval by the Local Planning Authority before the development commences;

- **Fenland District Council Environmental Health** have no objections as the development is unlikely to have a detrimental effect on local air quality or the noise climate. From the information provided contaminated land is not considered an issue;
- **CCC Archaeology** comment that the site should be subject to a programme of archaeological investigation. This can be secured through the inclusion of a planning condition;
- there has been two further letters received from a local resident with the following comments and objections:
 - the site is outside the settlement and a road has been left at the front of this development stating access to gardens, this is believed to be for future development behind numbers 4 and 5 Mill Hill Lane;
 - the drawings have no annotated height dimensions and Plot 1 is out of character with the remaining properties in the area;
 - the existing ditch at the front of the site has been filled in (on 1 September 2012) and an attempt has been made to reinstate it (on 3 March 2013);
 - the action with the ditch raises the risk of flooding. All of the surface water in the area drains into this dyke, which has been reported to the Environment Agency, Middle Level, Cambridgeshire County Council (Flood and Water) and Fenland District Council Planning Enforcement;
 - the access road is in poor condition with the surface breaking up and cracks appearing;
 - disagree with the statement that this piece of land is classed as garden, it was originally agricultural land used for grazing;
 - there are discrepancies with regard to the trees and hedging on the site;
 - there are a number of errors within the Amphibian Survey Report as there is no mention of the dyke being filled in or reinstatement works and the two ponds have not been there for over 40 years;
 - there are Bats and Barn Owls living and breeding in and around the site. The Biodiversity Checklist states that the site has been surveyed for these species however there is no evidence of these surveys on the application;
- Officer comment:
 - issues relating to the site location, access and the scale of development have been considered in the officer report, with access also being addressed earlier in this update given the comments of the Local Highway Authority. It is further noted that an email has been received from the applicant stating that they are prepared to upgrade the section of road required to CCC specifications and an amended plan to reflect this will be forthcoming;
 - the application has been accompanied by relevant ecological survey details as prepared by a competent specialist and as such the Local Planning Authority must accept the findings contained therein;
 - foul water disposal will be addressed as part of any technical Building Regulations approval and through the consent of the relevant agency;
 - the Highway approval aspects regarding works to the ditch will be covered by the condition listed above in the Local Highway Authority response. The applicant will also need to satisfy the requirements of the relevant bodies with an interest in the ditch.

Members received a presentation, in accordance with the public participation procedure, from Mr Harpham, an objector to the proposal. Mr Harpham pointed out that his parents live at number 3 Mill Hill Lane and stated that the OS Map shows double carriageway only to number 1 Mill Hill Lane, the only passing available is by using driveways, this was noted by CCC Highways Access Team when they visited and the public byway should not be obstructed at any time. Mr Harpham stated that the delivery lorries would find it difficult to turn around as the application only shows a 5 metre width and a 6 metre width would be required. He informed members that the application shows access to the rear of the land and he believes this is for additional housing. Mr Harpham stated that infrastructure is missing from the application and asked members to reconsider the application until issues are addressed as answers are needed before these properties are built.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Mrs French, District Councillor. Councillor Mrs French pointed out that the application was refused last August and the only difference to this application was the siting of the property. Councillor Mrs French stated that the principles would conflict with the Local Plan and National Policy Framework, there are no special circumstances that can be seen and the state of the road is unadopted. Councillor Mrs French commented that this kind of development should stop because of problems later on, or the road be made up from top to bottom. Councillor Mrs French commented that she had been led to believe that the dyke at the front of the site would require testing for contaminated land and the application should not be considered in isolation but in line with the emerging Core Strategy, master plans and better use of the land. She pointed out that March Town Council are putting together a Neighbourhood Plan, number 5 Mill Hill Lane is outside the development area boundary and she requested that members refuse this application.

Members received a presentation, in accordance with the public participation procedure, from Ms Barnett, a supporter of the proposal. Ms Barnett thanked members for the opportunity to speak and stated that she endorses the comments contained in the officers report. Ms Barnett stated that the proposed houses would continue the development along Mill Hill Lane being self contained and adjacent to the development boundary.

She pointed out that the drainage ditch serves as a visual stop to development. Ms Barnett stated that the character and appearance of the development has been carefully designed to assure compatibility with the surrounding development and the scale, design and character is in keeping with the area.

Ms Barnett stated that the impact on residential amenity in relation to 5 Mill Hill Lane has been addressed by repositioning Plot 2 further south, being five metres away from the existing property and all windows facing the existing property have been removed from the plan. The rear of the site has been repositioned to address noise and disturbance. She pointed out that recommendations made by the Local Highway Authority will be carried out and the public highway upgraded. There will be adequate access for turning, parking and drainage will be in place prior to occupation and hopes this will address concerns and reassure residents. Ms Barnett commented that an amphibian survey has been carried out and there is no evidence of Great Crested Newts and she believes that all objections have been addressed.

Councillor Bucknor asked for clarification as to who was the applicant as the report says it is Mr Duncan. Ms Barnett confirmed that she is married to Mr Duncan.

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

- Councillor Sutton commented that he sees nothing wrong with the application, it is supported by March Town Council and he believes officers recommendations are correct;
- Councillor Cornwell made reference to the Core Strategy, page 45, stating that it is in a rural location for growth and housing;
- Councillor Bucknor commented that the proposal provides a natural end to development;
- Councillor Connor commented that conditions have been met regarding the roadway and dyke, there is adequate turning and he sees no problem with the proposal.

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

Granted, subject to the conditions reported.

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

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

P83/13 **F/YR13/0580/FDC**
MARCH - LAND SOUTH OF 3 DARTHILL ROAD, CHANGE OF USE OF LAND TO
TEMPORARY CAR PARK (RENEWAL OF PLANNING PERMISSION
F/YR10/0641/FDC)

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

Granted, subject to the conditions reported.

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

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

P84/13 **F/YR13/0583/F**
WISBECH - LAND EAST OF 15 CHERRY ROAD, ERECTION OF 3 X 2-STOREY 3-
BED DWELLINGS, INVOLVING DEMOLITION OF EXISTING GARAGES

Officers informed members that:

- the Environment Agency has responded advising that in the absence of a Flood Risk Assessment they object to the proposal and recommend refusal;
- the comments of the Environment Agency have been forwarded to the Agent for action and the submission of a Flood Risk Assessment is awaited. The Environment Agency will be consulted on any further information received;
- the layout has been amended to reflect the requirements of the Local Highways Authority. They have reviewed the amended layout and advise that this is now acceptable.

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

- Councillor Miscandlon commented on the construction of the driveway, being gravel and asked officers to confirm what it will be. Officers confirmed that the driveway is reported as gravel and it is only for those requiring access to the current residence to the rear and the new dwelling;
- Councillor Bucknor commented on the dilapidated state of the site, pointing out that there is a need for housing, he could see no problems and supported the good use of this site;
- Councillor Cornwell commented that it is time that permeable surfaces are increased, he has no problem with a gravel surface but requested that the parking spaces at the back of the first house should be at 90 degrees to the property. Officers informed him that if parking were at 90 degrees there would not be the 6 metre clearance required;
- Councillor Patrick commented that he would like to see any surface other than gravel as the occupier would have to travel past number 9 and 11 to get to their dwelling and requested a condition for solid surfacing to reduce noise issues;
- Councillor Stebbing asked if running strips could be inserted between the gravel as an alternative measure. Officers acknowledged members concerns and confirmed the detail could be agreed.

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

Granted, subject to the resolution of the Environment Agency (EA) objection, conditions reported (together with any required by the EA) and a suitable surface for the driveway.

(All Members present declared a Non-Pecuniary Interest in this application, by virtue of Fenland District Council owning the land)

(Councillors Bucknor and Patrick stated that they are Members of Wisbech Town Council, but take no part in planning matters)

P85/13

F/YR13/0594/F

GOREFIELD - AT LAST, 7 HIGH ROAD, ERECTION OF A SINGLE-STOREY SIDE EXTENSION TO EXISTING DWELLING

Officers informed members that:

- no consultation response has been received from the Parish Council;
- Middle Level Commissioners will not be commenting;
- no comments have been received from local residents.

Mr Broker declined the opportunity to speak on this application.

Proposed by Councillor Patrick, seconded by Councillor Cornwell 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 took no part in the discussion and voting thereon)

P86/13

F/YR13/0598/F

WISBECH ST MARY - OLDEN LODGE, STATION ROAD, ERECTION OF A 2-STOREY REAR EXTENSION, CONVERSION OF ROOF SPACE TO LIVING ACCOMMODATION, BAY WINDOW TO FRONT AND DETACHED BBQ HOUSE TO REAR

Officers informed members that:

- North Level Internal Drainage Board have no comments;
- Middle Level Commissioners will not be commenting.

Proposed by Councillor Connor, seconded by Councillor Quince 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 took no part in the discussion and voting thereon)

P87/13

F/YR13/0611/F

MARCH - FIRST FLOOR AND SECOND FLOORS, 9 - 11 HIGH STREET, CHANGE OF USE OF EXISTING FIRST AND SECOND FLOORS FROM RETAIL STORAGE AND EXISTING FLAT TO 3NO 2-BED FLATS INCLUDING THE RE-POSITIONING OF 3 X AIR-CONDITIONING UNITS

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

Granted, subject to the conditions reported.

(All Members present, declared a Non-Pecuniary Interest in this application, by virtue of the applicant being a fellow Councillor)

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

P88/13

F/YR13/0615/F

CHATTERIS - LAND WEST OF 28 HIGH STREET, FRONTING RAILWAY LANE, ERECTION OF A 3-BED DETACHED 2 STOREY HOUSE WITH ATTACHED CARPORT

Officers informed members that:

- the following consultation responses have been received:
 - Fenland District Council Environmental Health - have no objections to the proposed development as it is unlikely to have a detrimental effect on local air quality or the noise climate. From the information provided contaminated land is not considered an issue;
 - Middle Level Commissioners - an e-mail has been received stating that they will be commenting on the application, however no further comments received;

- an email has been received from the agent requesting that the roof tiles be changed from plain tile to Marley Anglia interlocking tile in 'Old English Dark Red'. This change in material is noted and not considered to raise any issues.

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 town centre site, the site has planning permission, however there is a discrepancy regarding the extent of the site, when surveyed the plot size was slightly small so the house is now slightly smaller.

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

- Councillor Cornwell pointed out that there is no turning on site. Officers confirmed that turning will include reversing onto the access road, using the width of the access road.

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

Granted, subject to the conditions reported.

(All Members declared a Non-Pecuniary Interest in this application, by virtue of the applicant being a Member of the Planning Committee)

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

(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 Murphy declared a Non-Pecuniary Interest in this application, by virtue of being the applicant)

P89/13 FACILITATING GROWTH IN FENLAND (WORKING TOGETHER ON MAJOR PLANNING APPLICATIONS) GUIDANCE

Officers informed members that:

- the Facilitating Growth in Fenland Guidance is the proposed protocol to be applied to comprehensive development schemes, for large urban extensions in the Core Strategy, in excess of 250 dwellings;
- similar guidance has been adopted by other Councils, constituting a protocol between Council and Developer, eg Hallam Land could have applied this policy;
- there is a summary of key steps, an initial approach and a more formal preapplication at Stage 2;
- CDS (Comprehensive Delivery Scheme) is an additional stage for applicants to produce a finalised master plan or a SPD;
- the document sets out formal stages for very major schemes;
- comments are requested from Planning Committee Members prior to its submission to Cabinet in October 2013.

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

- Councillor Cornwell commented that there are Neighbourhood Plans which should be reflected in the Core Strategy in relation to Urban Extensions;
- Councillor Sutton commented that the Summary of Key Steps does not refer to the Community Infrastructure Levy (CIL). Officers responded that CIL has not been adopted at the present time and is being investigated but if adopted could be included in a revised version;
- Councillor Sutton asked if CIL were adopted would it alleviate problems with viability studies. The Legal Officer advised that affordable housing is not covered under CIL and would likely still be covered under S106.

6.10pm

Chairman